

BRIDGEPORT POLICE DEPARTMENT
OFFICE OF INTERNAL AFFAIRS



OFFICE OF INTERNAL AFFAIRS

CHIEF OF POLICE

ARMANDO J. PEREZ

Internal Investigation

OIA CASE 17I-200

316 Colorado Avenue

Bridgeport Connecticut 06605

Primary Investigator:

SERGEANT SANTIAGO LLANOS

Secondary Investigators:

SERGEANT JOHN BURKE

SERGEANT FABIO PEREIRA

Assisting Investigators:

SERGEANT MILTON JOHNSON

SERGEANT JOHN KLESYK

SERGEANT JESSI PIZARRO

SERGEANT LAWRENCE LAZARO

203-567-8298



316 Colorado Avenue Bridgeport Connecticut

[illegible]



CITY OF BRIDGEPORT
DEPARTMENT OF POLICE
OFFICE OF INTERNAL AFFAIRS
999 BROAD STREET

Bridgeport, Connecticut 06604
Phone: (203)576-8298 Fax: (203)332-5525



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316 Colorado Avenue Bridgeport Connecticut

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**Chief of Police
Armando J. Perez
Directive**



City of Bridgeport
DEPARTMENT OF POLICE
OFFICE OF THE CHIEF

300 Congress Street • Bridgeport, Connecticut 06604 • Telephone (203) 581-5111 • Fax (203) 576-8130

ARMANDO J. PEREZ
Chief of Police

To: Lieutenant Brian Dickerson
From: Chief Armando J. Perez
Date: October 24, 2017
Re: Directive Regarding Internal Investigation

Lt. Dickerson:

I am directing you to open an internal investigation concerning the possible use of excessive force and any other department violations stemming from the incident on Colorado Avenue this past weekend and the subsequent actions in the booking area. The investigations initial specific focus are the actions of Sergeant Paul Acillia and Officer T. Lattanzio.

Chief Armando J. Perez



City of Bridgeport
DEPARTMENT OF POLICE
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ARMANDO J. PEREZ
Chief of Police

To: Lieutenant Brian Dickerson
From: Chief Armando J. Perez
Date: October 24, 2017
Re: Directive Regarding Internal Investigation

Lt. Dickerson:

I am directing you to open an internal investigation concerning the possible use of excessive force and any other department violations stemming from the incident on Colorado Avenue this past weekend and the subsequent actions in the booking area. The investigations initial specific focus are the actions of Sergeant Paul Scillia and Officer T. Lattanzio.

Chief Armando J. Perez

**Officer in Charge
Lieutenant Brian Dickerson
Office of Internal Affairs
Report**

**Internal Investigation 171-200
Office of Internal Affairs**



City of Bridgeport
DEPARTMENT OF POLICE
OFFICE OF INTERNAL AFFAIRS

999 Broad Street • Bridgeport, Connecticut 06604 • (203) 576-8298 • Fax (203) 332-5525

ARMANDO J. PEREZ
Chief of Police

TO: Mayor Joseph P. Ganim
President, Board of Police Commissioners
Chief Armando J. Perez

FROM: Lieutenant Brian Dickerson
OIC - Office of Internal Affairs

DATE: November 16, 2018

SUBJECT: OIA Case #17I-200
Complainant(s): Mr. Carmelo Mendez
Mr. Peter Diaz

Subject(s): Sergeant Paul Scillia, Officer Michael Stanitis, Officer Daniel Faroni, Officer Joseph Cruz, Officer Adam Szeps, Detective Kenneth Fortes, Lieutenant Robert Sapiro, Sergeant Mark Belinkie, Officer Douglas Bepko, Officer Todd Sherback, Officer Joseph Pires, Officer Matthew Johnson, Officer Linet Castillo, Officer Natalie McLaughlin, Officer Michael Mazzacco, Officer Stephen Silva, Officer Thomas Lattanzio, Civilian Detention Officer Jose Figueroa, and Civilian Detention Officer Paul Humphrey.

FINDINGS: Sustained Violations of Bridgeport Police Department's Policy & Procedures/Rules & Regulations (**Referred to the Honorable Board of Police Commissioners**)

Sir:

Upon reviewing all information obtained relative to this Citizen's Complaint, I concur with the recommendation of Sergeant Santiago Llanos and Sergeant John Burke. In regards to the allegations of **Police Misconduct and Civilian Detention Officer Misconduct** it is found to be *Sustained; referred to the Board of Police Commissioners*.

In regards to the allegations lodged against Officer Thomas Lattanzio the disposition is found to be Separated from Service.

Please refer to the investigators report for details.

Respectfully submitted
Lieutenant Brian Dickerson
Lieutenant Brian Dickerson
Office of Internal Affairs

Investigative Report

Sergeant Santiago LLanos



City of Bridgeport
DEPARTMENT OF POLICE
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ARMANDO J. PEREZ
Chief of Police

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ARMANDO J. PEREZ

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ARMANDO J. PEREZ

Chief of Police

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ARMANDO J. PEREZ

Chief of Police

To: Mayor Joseph Ganim
President, Board of Police Commissioners
Chief Armando J. Perez

Thru: Lieutenant Brian Dickerson
OIC of Internal Affairs

From: Sergeant Santiago LLanos
Office of Internal Affairs

Date: November 13, 2018

Re: OIA Case # 17I-200
Citizen Complaint of Carmelo Mendez DOB [REDACTED] 3 - CGS Sec...
Citizen Complaint of Peter Diaz DOB [REDACTED] 3 - CGS Sec...

Findings: Sustained violations of the Bridgeport Police Departments Policy and Procedures / Rules and regulations -Referred to the Board of Police Commissioners.

On Saturday October 21, 2017 at approximately 2220 hours Officer Natalie McLaughlin was dispatched to the area of State Street and Colorado Avenue to investigate a noise complaint. This initial noise complaint led to the subsequent arrest of Mr. Carmelo Mendez, Mr. Peter Diaz, Mr. Fernando Morales, Mrs. Wanda Mendez, Mrs. Sara Deida, Mr. Ramon Davila, Mr. Jose Alvarado and Mr. Jose Rosario. Video footage surfaced which resulted in concerns over allegations of police misconduct relative to physical force used by Sergeant Paul Scillia, Officer Michael Stanitis, Officer Thomas Lattanzio and Officer Joseph Cruz

On October 22, 2017 at approximately 0008 hours the undersigned Sergeant received a call from the Office of Internal Affairs (OIC) Lieutenant Dickerson regarding an incident that took place inside the Bridgeport Police Department Booking Area located at 300 Congress Street Bridgeport. Lieutenant Dickerson stated he received a call from Sergeant Jeff Long pertaining to this incident.

The undersigned Sergeant along with Sergeant Fabio Pereira were detailed by Lieutenant Dickerson and responded to the Office of Internal Affairs to capture video footage of this incident. On October 22, 2017 at approximately 0041 hours Lieutenant Dickerson contacted Chief Armando Perez regarding this incident.

As a result of this incident, Mr. Carmelo Mendez and Mr. Peter Diaz both filed a citizen's complaint. Fifty-six taped interviews were conducted. Nineteen department personnel were recommended with sustained charges of Policy and Procedure.
Refer to the footnotes.¹

¹ Sergeant Paul Scillia, Officer Michael Stanitis, Officer Joseph Cruz, Officer Thomas Lattanzio, Lieutenant Robert Sapiro, Sergeant Mark Belinkie, Detective Kenneth Fortes, Officer Daniel Faroni, Officer Adam Szeps, Civilian Detention Officer Jose Figueroa, Officer Natalie McLaughlin, Officer Matthew Johnson, Officer Douglas Bepko, Officer Todd Sherback, Officer Michael Mazzacco, Civilian Detention Officer Paul Humphrey, Officer Linet Castillo-Jimenez, Officer Joseph Pires, Officer Steven Silva

Information obtained from Sergeant Jeffrey Long regarding this incident.

The undersigned Sergeant spoke with Sergeant Long by phone after arriving to Internal Affairs. Sergeant Long stated the following among other things;

Sergeant Long relayed that they had a couple of incidents in Booking stemming from a house party (*loud music/noise complaint as indicated by C.A.D. dispatch*) on 316 Colorado Avenue which turned out to be a 10-32 (code for Officer needs assistance). Sergeant Long stated they brought some people in on arrests from this incident.

First Incident: Incident in the Male Holding Cell

Mr. Carmelo Mendez who was in the main holding cell in the process of being transported to the hospital by the medics, lost consciousness, fell backwards, struck his head and was taken to 4 - HIPAA

Second Incident: Incident Regarding Physical Altercation

Sergeant Long relayed to Sergeant Pereira that Mr. Peter Diaz who was being processed by Officer Thomas Lattanzio allegedly spit in Officer Lattanzio's face. Officer Lattanzio allegedly struck Mr. Diaz in the face. Sergeant Long stated a use of force form was to follow.

Third Incident: Incident at Male Cell #7

Sergeant Paul Scillia was attempting to help AMR secure Mr. Peter Diaz into a stair chair used to transport individuals up and down stairs due to this Mr. Diaz having an ankle injury and had been in a wheel chair at the scene on 316 Colorado Avenue. While attempting to secure the stair chair belt strap, Sergeant Scillia's hand slipped hitting Mr. Diaz on the chin. Mr. Diaz immediately began claiming Sergeant Scillia punched him in the face. Sergeant Long stated he did not see any visible injury on Mr. Diaz. This incident took place in front of male cell#7.

The undersigned Sergeant along with Sergeant Pereira viewed the above-mentioned incidents utilizing the Milestone Xprotect Smart Client camera system of what occurred inside Booking from Saturday October 21, 2017. Due to the volume of video footage captured and the many different cameras located in and out of Booking it took several hours to view the footage captured. Due to the volume of footage captured we were unable to download and save the footage captured until the following day. Later in the day, the Office of Internal Affairs began receiving documents, such as the incident reports, addendums and officers typed reports regarding this incident from the command staff in patrol.

Chief's Directive and Investigation Background:

On October 21, 2017, Per Chief Armando J. Perez, the Office of Internal Affairs was directed to open an internal investigation concerning possible use of force and any other department violations stemming from the incident on Colorado Avenue and the subsequent actions of use of force in the Booking area. The investigations initial specific focus is the actions of Sergeant Paul Scillia and Officer Thomas Lattanzio. A directive was received, and the undersigned Sergeant was assigned to investigate the incident.

Subsequently, the Office of Internal Affairs received two Citizen Complaints regarding this incident at 316 Colorado Avenue citing excessive use of force.

The supervisory staff within the Office of Internal Affairs reviewed Mr. Mendez's complaint. The supervisory staff within the Office of Internal Affairs reviewed Mr. Diaz's complaint. It was determined that both complaints were from the same incident, therefore would be investigated by the Office of Internal Affairs under the same investigation. The undersigned Sergeant was assigned to investigate this complaint.

Authority:

Bridgeport Police Department Policy and Procedure Manual Section Formerly 1.8.5 provides as follows

Investigation of Civilian Complaint

- 1) The Office of Internal Affairs shall maintain in a secure manner all investigative case jackets of all investigations conducted, supervised, and/or controlled by the office, including all Citizen Complaints.
- 2) Supervisory personnel in the Office of Internal Affairs will maintain a Case Log of all investigations conducted by or under the control of the Office of Internal Affairs.
- 3) Supervisory personnel in the Office of Internal Affairs will review all Citizen Complaint Forms as received and will make the following determinations:
Bridgeport Police Department Policy and Procedure Manual Original, 18 Dec 07 Part 1, Chapter 1.8 – Office of Internal Affairs 1.8:5
 - a) To reject the complaint in that the complaint was not filed within 60 days from the date of the event or occurrence complained of or the final disposition of criminal charges against the complainant.
 - b) To initiate an investigation which will be conducted by personnel from the Office of Internal Affairs.
 - c) To forward copies of the Citizen Complaint Form and the Incident Report to the Officer-in-Charge of the Division to which the officer(s) named in the investigation were assigned at the time of the incident in question for investigation and completion by a date set by the Office of Internal Affairs. The Officer-in-Charge to which the complaint has been referred may assign the investigation to a subordinate Captain, Lieutenant or Sergeant. However, the Officer-in-Charge is directly responsible for supervising the investigation, ensuring dates for completion of the investigation are met and ensuring that action(s) taken or recommended are appropriate and in compliance with policy.
 - d) Upon completion the Officer-in-Charge who had supervised the investigation will forward, through the chain of command, all reports, findings and recommendations to the Office of Internal Affairs in a sealed envelope.
- 4) The Office of Internal Affairs will, when possible, within 30 days of receiving the Citizen Complaint Form, notify complainants as to the identity of the officer(s) involved in the incident if the identity of the officer(s) is unknown to the complainant.
- 5) The investigator assigned to conduct the investigation shall notify the officer(s) under investigation in accordance with current operative Barros Decree, Form CC-2, Notification of Internal Investigation shall be used for this purpose. The officer(s) will be given copies of the Citizen Complaint Form, with the names of the witnesses obliterated, prior to any interview or statement.
- 6) During the course of the investigation investigators will take sworn statements from all witnesses as well as from the concerned officer(s). This will be accomplished by taking a tape-recorded transcribed statement. The statement will be reviewed by the person giving it, after which an affidavit will be

executed as to the truth of the contents of the same. Every person shall, after affidavit execution, be given a copy of their statement if he so requests.

7) Investigation of citizen complaints shall, under normal circumstances, be completed within a 60-day period per the Barros Decree. However, in instances where circumstances do not allow for the completion of the investigation within this time frame, the complainant will be so notified in writing with sufficient explanation as to why additional time is required and with an estimated date of completion. This notification will be made by supervisory personnel from the Office of Internal Affairs. This notification will be accomplished via *Certified Mail* with a duplicate transmittal by first class mail.

8) The results of any investigation will be categorized by the investigating officer as follows:

- a) Unfounded.....the allegations are false.
- b) Exonerated.....the incident occurred but was lawful and proper.
- c) Not sustained.....insufficient evidence either to prove or disprove the allegation.
- d) Referredreferred to the Board of Police Commissioners.

9) Upon completion of the investigation, the Office of Internal Affairs will inform the complainant in writing as to the outcome and the reason(s) for such outcome of the investigation as well as informing the officer(s) who were subject of the investigation.

Bridgeport Police Department Policy and Procedure Manual Original, 18 Dec 07 Part 1, Chapter 1.8 – Office of Internal Affairs 1.8:6

10) Upon completion of the investigation, completed investigative reports will be distributed as follows:

- a) The Office of the Mayor.
- b) The President of the Board of Police Commissioners.
- c) The Chief of Police.

11) At the conclusion of the investigation a Case Closeout Form will be completed, and an entry made into the Case Closeout Log Book.

{Policy Update Attached}

Police Officer Standards & Training Council Model Garrity “Plus” Warning For Use In Administrative Investigations (Compliant with the Requirements of Connecticut General Statute 7-294d(c)(2)(1)):

You are being questioned as part of an official administrative investigation being conducted by your employer, the Bridgeport Police Department. During the course of this interview, you will be asked questions specifically, directly and narrowly related to the performance of your official duties and/or your fitness for office. You are hereby ordered to answer each of the questions posed truthfully and completely. You are entitled to all of the rights and privileges guaranteed by the law and the Constitution of the United States, including the right not to be compelled to incriminate yourself, as well as any additional rights established by state law or contractual agreement between your employer and your labor organization, if any. You are advised that, if you refuse to answer questions related to the performance of your official duties and/or your fitness for office, you will be subject to administrative disciplinary charges carrying the penalty of dismissal or termination from employment with this agency. If you choose to answer questions truthfully and completely, neither your oral testimony or written statement, nor any information or evidence gained by reason of such oral testimony or written statement, may be used against you in any pending or subsequent criminal proceeding. However, such testimony or statements may be used against you in this or any subsequent administrative disciplinary proceeding as evidence of misconduct or violation of the

rules, regulations, policies or orders of your employer pertaining to your job performance, or in decertification proceedings conducted pursuant to the provisions of Conn. Gen. Stat. 7-294d(c)(2)(1).

Case Law:

Graham v. Connor

Graham v. Connor 490 U.S. 386 (1989) was a United States Supreme Court Case where the Court determined that an objective reasonableness standard should apply to a civilian's claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other "seizure" of his person.

The Supreme Court held that determining the "reasonableness" of a seizure "requires a careful balancing of the nature and quality of the intrusion on the individual's Fourth Amendment interests against the countervailing governmental interests at stake". It stated, "Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it". The court held, "[b]ecause the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application," the "proper application requires careful attention to the facts and circumstances of each particular case."

The Court explained that, "[i]n our fourth Amendment contexts...the 'reasonableness' inquiry in an excessive force case is an objective one: the question is whether the officer's actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation". The court cautioned that, "[the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." In other words, what would a reasonable officer, reasonably trained, have done under the circumstances?

The court then outlined several factors for determining when an officer's use of force is objectively unreasonable: "the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight."

The Three Factors:

1. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be used.
2. Did the suspect pose a threat to the officer or any other person present?
3. Was the suspect actively resisting or attempting to evade arrest by flight.

Additionally:

Kingsley V. Hendrickson

Kingsley V. Hendrickson, 576 U.S. (2015), is a United States Supreme Court case in which the Court held a 5-4 decision that a pretrial detainee must only prove that force used by police is excessive according to an objective standard and is not required to prove that a police officer was subjectively aware that the force

used was unreasonable. Although *Kingsley* concerned a pretrial detainee, it suggested additional criteria which might be of assistance in evaluating excessive force claims.

Objective Consideration: Criteria:

1. Threat perceived by a reasonable officer.
2. Need for Use of Force.
3. Amount of Force used.
4. Efforts made to temper.
5. Extent of the injury.
6. Severity of the situation.
7. Actively Resisting.

Connecticut General Statute 53a-22:

Sec. 53a-22. Use of physical force in making arrest or preventing escape. (a) For purpose of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of physical force to make an arrest or to prevent an escape from custody. A peace officer, special policeman appointed under section 29-18b, motor vehicle inspector designated under section 14-8 and certified pursuant to section 7-294d or authorized official of the Department of Correction or the Board of Pardons and Paroles who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using the physical force prescribed in subsections (b) and (c) of this section unless such warrant is invalid and is known by such officer to be invalid.

(b) Except as provided in subsection (a) of this section, a peace officer, special policeman appointed under section 29-18b, motor vehicle inspector designated under section 14-8 and certified pursuant to section 7-294d or authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using physical force upon another person when and to extent that he or she reasonably believes such to be necessary to (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

On March 28, 2018 Policy and Procedure General Order number 4.02 was enacted by the Honorable Board of Police Commissioners and the Chief of Police stating the following:

The Chief of Police will have the authority to direct any Class 1 or criminal investigation to the Office of Internal Affairs or outside agency for investigation. The Commander of Internal Affairs will also have the authority to begin a criminal investigation during the course of an Internal Investigation or Citizen Complaint if the details of the case turn into a possible criminal allegation.

Mr. Carmelo Mendez Citizen Complaint Summary:

On October 23, 2017 complainant Carmelo Mendez completed a citizen complaint against several unknown members of the Bridgeport Police Department. Mr. Mendez described one of the officer's as a white male, bald and tall. He also described the second officer as a white male with a mohawk and the third officer as a white male with the name Stern on his name tag. The complaint was relative to an incident that occurred at 316 Colorado Avenue on October 21, 2017, in which Mr. Mendez indicated he was "beaten up and arrested."

Mr. Mendez writes he was at a 12-year-old children's birthday party at his sister's house. He stated he video recorded the situation because the police arrived aggressively. Mr. Mendez stated one officer told him it was okay to record as long as he stood behind the area the officer pointed to, which he complied as told. Mr. Mendez stated while one officer hit his mother who was on the deck and threw her on the floor while he was still recording. Mr. Mendez stated another group of Bridgeport Officers arrived on scene yelling and pushing civilians. Mr. Mendez stated civilians were arrested for no reason and because one officer said everyone is getting arrested.

Mr. Mendez stated one white male officer (Officer Adam Szeps) with a mohawk aggressively approached him, said nothing, grabbed him and threw him on the floor just because he was recording. Mr. Mendez stated when he fell to the ground the officer was on top of him hitting him and other officers were kicking him and punching him in the face. Mr. Mendez stated while he was on the ground, he yelled he had a gun permit and carrying a pistol. Mr. Mendez stated one officer yelled, "you're not getting this gun back at all asshole." Mr. Mendez stated he was not resisting arrest at all. Mr. Mendez stated he had over ten officers on top of him kicking and punching him all over. He stated there is evidence on camera.

Mr. Mendez stated two officers put shiny objects on their hands to hit his face which made circle marks on his face. Mr. Mendez stated after hitting him with the objects they proceeded to store them on their back side of their uniform. Mr. Mendez stated this should be on evidence on camera. Mr. Mendez stated while he was being handcuffed and taken into custody the officer with the mohawk put the shiny object back on his fist and hit him multiple times and then again placed the object back in his uniform. (Mr. Mendez provided this office with a narrated video taken on his cell phone from video footage captured at 316 Colorado Avenue.) In this narrated video he identifies Officer Michael Stanitis and points out exactly when Officer Stanitis is allegedly assaulting him with an object and when Officer Stanitis places the item back on his police duty belt. Mr. Mendez also identifies Sergeant Paul Scillia and points out exactly when Sergeant Scillia is allegedly assaulting him while he is on the ground. Mr. Mendez identifies Officer Stanitis as being the tall, bald, White male and Sergeant Scillia as the Officer with the mohawk. *See narrated video. Book 4, Hard drive, Case Digital Media, Index #17, (Folder 28 videos Colorado, Folder 23 video 20171022_170415xx.* This video was received from Att. Berke on 01/25/18.

Mr. Mendez stated as he was taken to the police vehicle the officer with his property told him he was not getting his gun back and that he was an "asshole, a stupid idiot and was not complying with their orders." Mr. Mendez stated the officer told him he was arrested because he was resisting arrest and did not leave when he was told to. Mr. Mendez stated he told the officer he was a highly decorated soldier in the military that not deserve to be treated the way they treated him, and the officer told him, "shut the fuck up, he didn't give a fuck who he was."

Mr. Mendez stated he was escorted to the police department and while in the holding cell he was told he passed out and fell because he was bleeding and had circle marks. Mr. Mendez stated the right side of his face was bleeding. [REDACTED]

4 - HIPAA

4 - HIPAA

Mr. Mendez stated while in the holding cell, prior to him passing out, he witnessed an officer hit a friend with a punch on his face knocking him on to the ground. Mr. Mendez stated he was never given a receipt for his property for his firearm that was taken. Mr. Mendez stated he has a valid pistol permit.

On October 31, 2017, the undersigned Sergeant along with Sergeant Jesse Pizarro conducted a taped interview of Mr. Carmelo Mendez in the Office of Internal Affairs. *See Mr. Mendez's complete statement for specific details.*

Summary of Mr. Mendez's Statement he Stated the Following:

Mr. Mendez stated on October 21, 2017 at approximately 9:00pm-9:30pm he went to his niece's 12-year-old birthday party at his sister Wanda Mendez's and her husband Fernando Morales' home, located at 316 Colorado Avenue. Mr. Mendez stated he believes there was about 15 children and about 10 adults totaling approximately 25 people at the party.

Mr. Mendez stated there was a DJ with two 12-inch speakers playing music, not disturbing, but it was just loud enough that they could hear it and maybe the neighbors on both sides could hear it. Mr. Mendez stated he did not see any alcoholic beverages at the party and he did not have any at the party but had about two beers before he got to the party.

Mr. Mendez believes someone complained about the noise and they called the police. Mr. Mendez stated the police arrived, there was a male and a female Officer. Mr. Mendez stated the officers entered through the driveway, so his sister, which is the owner of the house, Wanda Mendez, approached them and asked, "What's the problem?" Mr. Mendez stated the Officer said that somebody complained about the noise, so they need to turn the music down. Mr. Mendez stated he believes the DJ turned off the music soon as the cops arrived.

Mr. Mendez stated things escalated when his sister and her boyfriend (Fernando Morales) were asking the Police Officers at what time was music supposed to stop. He stated the Police Officers were quickly escalating in the tone of voice with authority, stating "The fucking music stops now when I fucking tell you to stop the music". (Page 2, line 48-49)

Mr. Mendez stated one of the Officers said something over the radio and quickly a whole bunch of Police Officers arrived and started telling people to shut up and get out of the party. Mr. Mendez stated a few other Officers came yelling, "Everybody's gonna get arrested." (Page 2, line 53-54) We told you to turn off the music". (Page 2, line 54-55)

Mr. Mendez stated the music was already turned off since the arrival of the first Police Officers. He stated then another set of Police Officers came pushing people and another Officer said "Everybody get the fuck out. Party's over-party's over. Everybody get out and whoever does not get out is gonna arrested. You people aren't cooperating." (Page 2, line 58-60)

Mr. Mendez stated he quickly started to record on his phone and when he was recording another Officer approached him and said, "You can record all you want as long as you're standing behind here," (Page 2,

line 62-63) (an imaginary line on his sister's property). Mr. Mendez stated he stood behind the line.

Mr. Mendez stated that's when things started escalating. He stated one Officer on the deck, in the back of his sister's (Wanda Mendez) house, grabbed his mom (Sara Deida), and she was slapped a couple of times. Mr. Mendez stated they handcuffed her and the Officer was dragging her down the stairs of his sister's deck.

Mr. Mendez stated he also observed another Officer punching another friend of theirs that was at the party in the back of the head. He stated then quickly another Officer came by in front of him and told him, "Oh, get out - get out." (Page 2, line 73) Mr. Mendez stated he told him, "This is my sister's house." (Page 2, line 74) Then another Officer came behind him without saying anything at all, grabbed him by the neck and shoved him to the floor.

Mr. Mendez stated that is when a whole bunch of other Officers started punching him in the face and kicking him. Mr. Mendez stated while he was on floor, he said, [REDACTED] 2 - CGS Sec. 29-28(d) (Page 2, line 78) and they started punching him harder. Mr. Mendez stated they were punching him before and after he said [REDACTED] 2 - CGS Sec. 29-28(d) Mr. Mendez stated after he said [REDACTED] 2 - CGS Sec. 29-28(d) one of the Officers said, "We don't give a fuck, shut up." (Page 2, line 80-81) Mr. Mendez stated he kept saying, "They're punching me. They're punching me in the face. They're punching me and they're kicking me." (Page 2, line 82-83) Mr. Mendez stated they just continued to punch him and kick him.

Mr. Mendez stated he then saw two of the Officers, one that was behind him, put his knees on his back near his neck. He had something shiny on his knuckles and he kept punching him in the face and then he got up. Mr. Mendez stated there was a sergeant walking by and he yelled "Oh, they're still punching me, they're still punching me." (Page 2, line 89-90)

Mr. Mendez stated when the Officers were lifting him up, an Officer who had something shiny in his hands, not sure if it was handcuffs or brass knuckles punched him two times on the face and threw him back down on the floor. Mr. Mendez stated the Officers then picked him up and took him to the Police car.

Mr. Mendez stated as he was being walked to the Police vehicle the Officers were manhandling him. He stated one of the Officers grabbed him in the driveway by the chain necklaces around his neck and started wiggling his neck after Mr. Mendez told him he was in the military. Mr. Mendez stated the Officer said he "does not give a fuck."

[REDACTED]
2 - CGS Sec. 29-28(d)

[REDACTED]
2 - CGS Sec. 29-28(d)

Mr. Mendez stated he said, "Wow, this is the way you treat veterans." And the Officer said, "I don't give fuck who you are" and then they shoved him in the back of the Police Officer's Car.

Mr. Mendez stated they transported him to booking and the handcuffs were so tight that he could not feel his hands. Mr. Mendez stated he asked multiple times for them to loosen up the handcuffs and he stated they ignored him because they probably thought that he just wanted to get the handcuffs off.

Mr. Mendez stated once he arrived in Booking they placed him in the holding cell still handcuffed. Mr.

Mendez stated while in the cell an officer asked him if he wanted to go to the hospital, but Fernando Morales, who was also in the holding cell was telling the officer not to talk to him (Carmelo Mendez). Mr. Mendez stated, Mr. Morales kept telling him not to talk to the officer. Mr. Mendez stated Booking was chaotic with arguments back and forth.

Mr. Mendez stated at the time he was not aware of the injuries on his face. Mr. Mendez stated he felt light-headed, and he did tell the officer that he felt light-headed. The officer asked him if he wanted to go to the hospital and Mr. Mendez stated no, because at the time he did not feel he needed to go. Mr. Mendez stated he was cooperating with the officer answering all his questions. Mr. Mendez stated he was dizzy and his head was spinning due to the punches and kicks to the face and the body.

Mr. Mendez stated that while he was in the holding cell, another guy with a broken leg that was also arrested he knew as "P" (Peter Diaz) was standing and going back and forth (arguing) with an officer. The officer was asking him questions, and he (Carmelo Mendez) did not know what happened, but he saw the officer punch "P" in the face, knocking him to the floor.

Mr. Mendez stated he asked a Hispanic Sergeant, (Sergeant Ivan Delgado), what's on his (Carmelo Mendez) face because (Fernando) and the other guy (Ramon Davila) were asking him, what happened to his face? They said his "face was fucked up." Mr. Mendez stated he asked the sergeant what was going on with his face because he could not see it. Mr. Mendez stated he asked the sergeant, why the brutality? The sergeant told him, "I was not there, so I do not know what happened." Fernando turned around and said, "He was there. He was walking around. He's a fucking pig. He was walking around, and he was there. He saw everything." *(Page 49, line 2161-2167)*

Mr. Mendez stated the sergeant turned around and said I just clocked in. Mr. Mendez stated the sergeant eventually told him he had bruising on his face, and he looked like he was bleeding. Mr. Mendez stated the paramedics then came in.

Mr. Mendez described the injuries on his left side as being all bruised up. His jaw was locked and he could not even talk when the sergeant was talking to him. He stated he was trying to get his words out, but his jaw was locked. Mr. Mendez stated he had about six circled bruises on the left side of his face. He stated he had bruises to the back of his head and bruises on his right-side cheek which was scraped like if somebody was pushing his face against the cement and scraping it. He stated he has injuries to his temple and was bleeding through both of his eyebrows and his face was swollen.

Mr. Mendez stated that while in the cell a female medic asked him for his name, he stood up and told her his wallet was in his left side chest pocket. He then stated he did not remember anything else other than waking up inside the ambulance and the lady medic telling him they were taking him to the hospital. The medic also told him to stay awake and not to fall asleep because of the bruises. Mr. Mendez stated the medic also asked him what he was hit with and he said he did not remember. He stated he kept nodding off and the medic kept telling him to stay awake.

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Mr. Mendez stated when he arrived back in Booking, around 3am, they placed him in an individual cell. Mr. Mendez stated hours later or the next day they photographed and fingerprinted him. Mr. Mendez stated he was released from Booking on bail around 12 noon.

Mr. Mendez stated to Sergeant Pizzaro that he believed more officers were called to the scene because his sister was telling the police to leave her property, that they already turned off the music and there was no reason for them to stick around. And that is when they made the call.

Mr. Mendez stated the police were already aggravated when they got there and just came in and said, "turn off the music, end the party." Mr. Mendez stated his sister told them, "The music is already off. Leave." And that is when everything escalated.

Mr. Mendez stated the civilians and the police were swearing at each other back and forth while his sister was telling them to get off her property. Mr. Mendez stated then Fernando, (Fernando Morales) came and told the officers, "This is our fucking property. We are paying fucking taxes, and she is telling you to leave, you do not belong on our property." *(Page 56, line 2467-2469)*

Mr. Mendez stated the officers started swearing when his sister (Wanda Mendez) and Fernando were asking, "What time is it that we are supposed to turn off the music, because there are other neighbors that do it, and they stay 'til 3:00 or 4 o'clock in the morning, and the police do not arrive?" Mr. Mendez stated then one of the officers said, "The fucking music stops now when we fucking tell you." *(Page 56, line 2487-2488)*

Mr. Carmelo Mendez Statement and 316 Colorado Avenue Video Comparison:

The video camera located on the outside driveway of the residence at 316 Colorado Avenue shows at 22:30:53 hours Officer Stanitis as he walks into the yard with Lieutenant Sapiro is observing other Officers apparently struggling to handcuff Mr. Mendez. (residential video 316 Colorado Avenue)

At 22:30:55 hours Officer Stanitis removes an item from his duty belt that appears to be in a placement consistent with where police officers commonly carry their flashlight. Officer Stanitis looks in the direction of Lieutenant Sapiro momentarily, Lieutenant Sapiro at the time was looking in the opposite direction of Officers struggling to handcuff Mr. Mendez. Officer Stanitis positioned himself in the group of Officers near Mr. Mendez's head. (residential video 316 Colorado Avenue)

At 22:30:56 Officer Bobby Hernandez appears to give Detective Fortes an item from the left side of his duty belt appeared to be an asp. Detective Fortes uses the asp to control Mr. Menendez and remove his hands from underneath his body which Detective Fortes described in his statement. Detective Fortes would days later complete a use of force report and an official report documenting his actions during the incident. (residential video 316 Colorado Avenue)

At 22:30:57 Sergeant Scillia with his right hand appears to punch to Mr. Mendez while he is on the ground, at this point in the video it appears Mr. Mendez is not yet handcuffed. (residential video 316 Colorado Avenue)

At 22:30:58 Sergeant Scillia appears to kick or stomp on Mr. Mendez using his right leg. Sergeant Scillia then steps into the group of Officers who have circled Mr. Mendez, attempting to control Mr. Mendez

while he is on the ground. Sergeant Scillia maintains this position observing Officers during the entire handcuffing and arrest of Mr. Mendez to its conclusion. (residential video 316 Colorado Avenue)

At 22:31:01 hours a flash of light is seen directly under the torso of Officer Michael Stanitis consistent with the illumination of a flashlight now in his hand. (residential video 316 Colorado Avenue)

At 22:31:03 Officer Stanitis kneels between Officer Stephen Silva and Officer Bobby Hernandez and appears to rapidly move his right arm back and forth in a thrusting motion toward the head of Mr. Mendez. It appears Officer Stanitis is striking Mr. Mendez with an object. Although contact cannot be seen, the motioned combined with the statement of Mr. Mendez is consistent the use of an object. (residential video 316 Colorado Avenue)

At 22:31:06 Officer Stanitis stands up and briefly looks in the direction of Lieutenant Sapiro momentarily and again goes down in a kneeling posture between Officer Silva to his right and Officer Hernandez to his left. (residential video 316 Colorado Avenue)

At 22:31:07 Officer Stanitis rapidly move his right arm again several more times towards the head area of Mr. Mendez appearing to strike Mr. Mendez apparently striking him with an object, although contact cannot be seen. (residential video 316 Colorado Avenue)

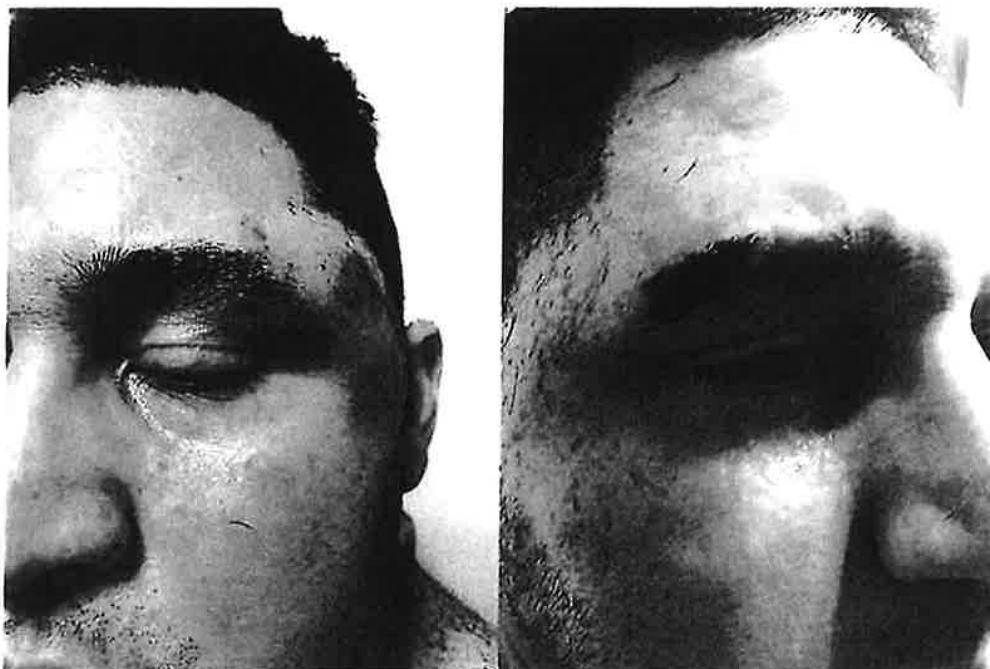
At 22:31:09 Officer Stanitis stands and walks away for his kneeling position and replaces the item that appears to be his flash light onto his duty belt on the left side of his body with his left hand and appears to secure the item. (residential video 316 Colorado Avenue)

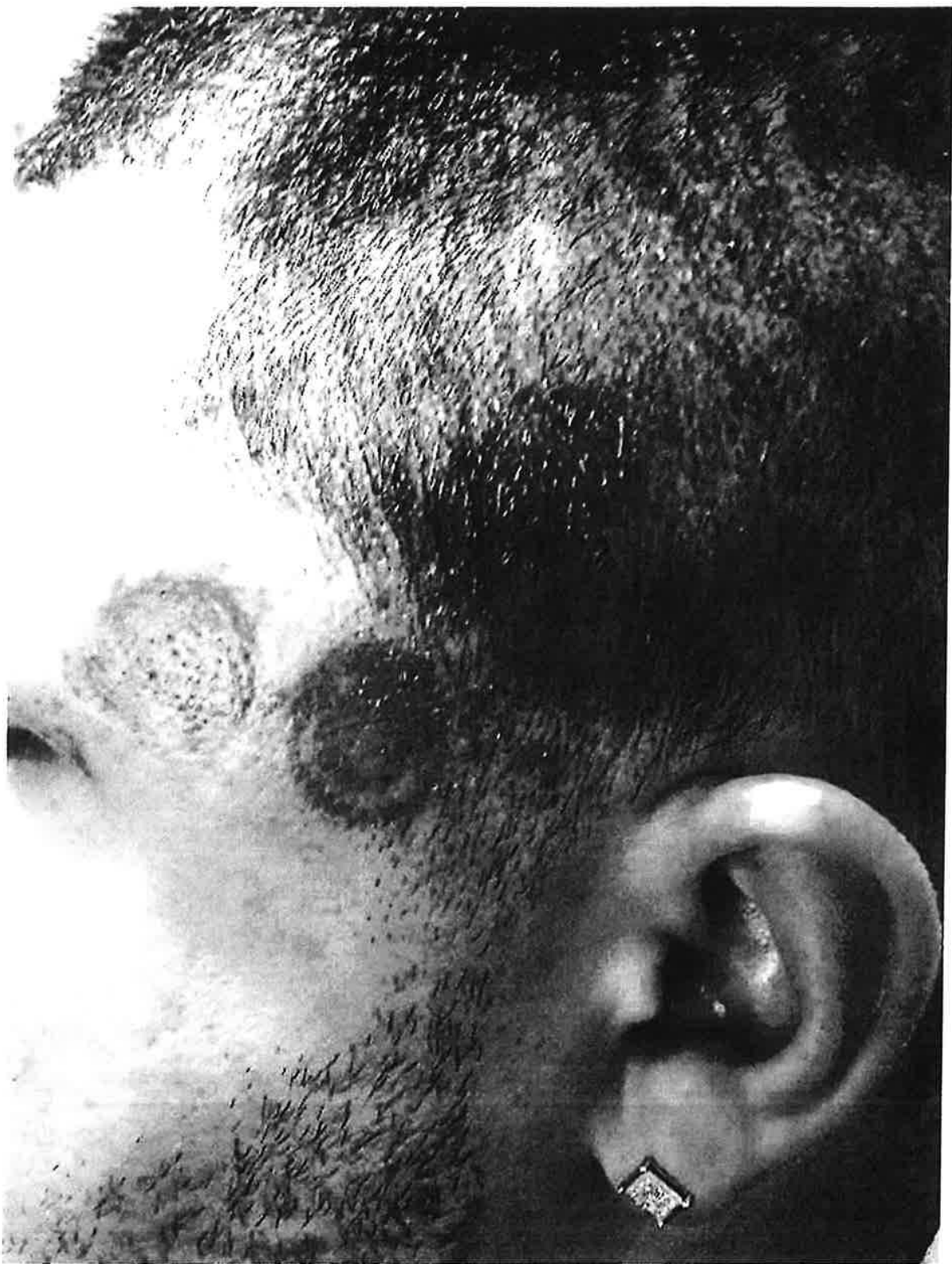
At 22:31:21 Officer Stanitis turns back towards the Officers struggling with Mr. Mendez and looks at his right hand then stretches his thumb out twice and rubs his right hand on his pant leg as if he has injured it. (residential video 316 Colorado Avenue)

At 22:31:33 hours it appears Sergeant Scillia thrusts forward with a left-handed punch and a right legged stomp striking Mr. Mendez while he is handcuffed lying on the ground. Sergeant Scillia then reaches down and grabs Mr. Mendez with both hands and picks Mr. Mendez up off the ground with the aid of Officer Szeps bringing Mr. Mendez to his feet. Sergeant Scillia is then seen pointing and appears to be giving direction to Officers who are still circled around Mr. Mendez. Mr. Mendez is then walked away in handcuffs by Officer Szeps and Officer Silva. (residential video 316 Colorado Avenue)

Photographs of injuries sustained by Mr. Carmelo Mendez on 10/21/17 and of incident location, Colorado Avenue.

Injurie photos taken on October 22, 2017 of Mr. Carmelo Mendez provided by Mr. Carmelo Mendez





Injurie photo taken on October 21, 2017 of Mr. Carmelo Mendez Booking video.



Injurie photo taken on October 21, 2017 of Mr. Carmelo Mendez Booking video after hospital treatment.



316 Colorado Avenue rear yard, Mr. Carmelo Mendez with cell phone in hand recording Officers resident camrea system.



316 Colorado Avenue curb side photo.



316 Colorado Avenue curb side photo.



Allegation Mr. Peter Diaz Citizen Complaint:

On October 24, 2017 complainant Peter Diaz completed a citizen complaint. Mr. Diaz wrote he took a "fist to the right-side" and was also kicked in his left leg which was injured already due to rods and screws which caused blood clots and [REDACTED] 4 - HIPAA Mr. Diaz stated he was booked for Breach of Peace and Interfering. Mr. Diaz stated, him getting punched in the face and repeatedly kicked in Booking should be on video.

On November 6, 2017, the undersigned Sergeant along with Sergeant John Burke conducted a taped interview of Mr. Peter Diaz. Mr. Diaz's stated the following among other things;

Summary of Mr. Peter Diaz's statement he stated the following among other things:

That on October 21, 2017 he arrived at 316 Colorado Avenue for a 11-year-old little girl's birthday party, but he was unsure what time he arrived, possibly a little before 8:00 pm. Mr. Diaz stated there were a lot of children at the party. Mr. Diaz stated he brought his wife with him, along with his daughter and they were all having a good time. Mr. Diaz stated he had a plate of food and after that they started drinking a little bit.

Mr. Diaz stated they were watching the kids run around when he noticed two officers coming up the driveway. He believes it was a female officer and a male officer that came up the driveway. As they were approaching the beginning of the driveway / the beginning of the gate to the backyard, before the officers said anything, his cousin (Fernando Morales) yells because the music is loud and tells the officers to please go to the front of the house. Mr. Diaz stated in the process of him telling the police go to the front of the house the police officers start yelling. Mr. Diaz stated his cousin (Fernando Morales) started yelling back. Mr. Diaz stated Fernando wanted the officers to go to the front yard and the officers wanted to enter the backyard.

Mr. Diaz, who was in a wheel chair at the time stated he wheeled himself in between his cousin and the officers to prevent anything from escalating because it was a little kid's party. He stated the male officer then started yelling at him, which in turn he yelled a profanity at him. Mr. Diaz stated, "I called him a bitch-ass nigger". (Page 2, line 63) Mr. Diaz stated while he called him that someone grabbed his chair and pulled him away. He assumed it was his wife, or someone pulled him away from the situation that was happening. Mr. Diaz stated if he was able to stand up he could have probably at least put his hands out and would have probably still got arrested for getting in the middle but at least he would have tried to prevent a situation. Mr. Diaz stated it just got out of hand really fast and someone pulled his chair back from between them.

Mr. Diaz stated he pulled his chair directly in between them just so that they would stay a distance from each other. Someone pulled his chair back and the next thing you know Fernando is on the floor and there is a cop walking through the yard saying, "We are taking him, taking him, taking him, taking him, oh, I'm a bitch-ass nigger, we are taking you, too." (Page 11, line 467-468)

Mr. Diaz stated he was pulled back towards the gate and began to light a cigarette and as he was lighting the cigarette the officer walks around the backyard and he starts pointing at people, saying "we are taking them, we are taking them, we are taking them, we are taking them." The officer then came over to him and said, "Oh, I'm a bitch-ass nigger, we are taking him, too." (Page 2, line 68-70)

Mr. Diaz stated as other officers arrived, they start telling the officer we cannot take him, he is in a wheelchair, but he insisted, "No, we are taking him. I'm a bitch-ass nigger, we are taking him." Mr. Diaz stated so they start pushing him towards the front of the house. Mr. Diaz stated when they got to the front

of the house, the officers, he recognized from Live PD, Officer (Mark) Blackwell and also the officer that was upset with him because he called him a "bitch-ass nigger" were arguing about why they cannot take him to jail. Mr. Diaz stated the other officers were insisting they could not take him, because he was in a wheelchair.

Mr. Diaz stated as the cop was walking from the backyard back towards the front he made his rounds. He went to the DJ, told him to lower the music, came back up and he starts looking at all the adults and looking everywhere and starts pointing out, we are taking him, we are taking him, we are taking him, and that is when he gets to him he said, "Oh, I'm a bitch-ass nigger," which Mr. Diaz claimed he has on video. (Page 11, line 477-478) Mr. Diaz failed to provide his video.

Mr. Diaz stated he did not know who the officer was, if he was the one in charge of the situation or if he was the Lieutenant, Captain or what he was, but the officer continued to say, "I do not care, I do not care. We are taking him." (Page 2, line 88) Mr. Diaz stated one of the officers but was not sure exactly which officer turned his chair and pushed him to the front of the house.

Mr. Diaz stated one of the officers at the car intentionally kicked his injured left leg prior to putting him in the back of the police vehicle near 316 Colorado Avenue. Mr. Diaz stated he then probably yelled at the cop and said somethings he should not have said but does not remember what he said because he was drinking and was drunk. Mr. Diaz stated the officer grabbed his chair and threw him over into the vehicle. Mr. Diaz stated they start tussling and throwing him into the backseat of the police vehicle. Mr. Diaz stated he was yelling because his leg, he could not turn his leg or move his leg certain ways and they were just strong arming him into the vehicle.

Mr. Diaz stated while this was happening he was yelling telling the officers this is on video. Mr. Diaz stated he did not personally have the video, but his wife had the video, which he could be heard yelling from backyard. (Mr. Diaz failed to provide alleged video). Mr. Diaz stated while lying in the back seat of the Police Car he heard the officers talking about how they were going to get his wheelchair to Booking. He then stated he heard the trunk open on the car. Soon thereafter he heard the trunk close, so he assumed his wheelchair was in the trunk. Mr. Diaz stated they then took him to Booking. Mr. Diaz stated he does not know what happened to his wheelchair.

Mr. Diaz stated when they arrived at Booking there was a big commotion going on in Booking because they arrested others from the party and they were bringing people in thru the Booking Door. He stated they put the people arrested into the bullpen, the big bullpen (holding cell) and brought him over to the podium (Booking Desk).

Mr. Diaz stated an officer started searching him, while talking a whole bunch of junk to him, so he started talking junk to him also because he was upset. Mr. Diaz stated "I'm foaming at the mouth. I'm completely upset about the whole situation that is going on". (Page 3, line 97-99) Mr. Diaz stated he turned to the officer and started cursing at him. Mr. Diaz stated suddenly, the officer punches him in the right side of his face. Mr. Diaz stated he fell, but then stated, there was an officer behind him who grabbed him by the back of the neck. Mr. Diaz stated when the officer grabbed him by the back of the neck the officers jumped on him and started hitting him and dragged him into the back bullpen (the male cells) and put him in one of the cells in the back. (Mr. Diaz failed to mention he spit in the officer's (Officer Thomas Lattanzio's) face prior to being punched in the face. This incident was captured from several different cameras within The Bridgeport Police Department Booking area.

Mr. Diaz stated approximately 20 minutes to a half hour later, maybe a little bit more, he was not sure of the time, an officer came over to him and asked him if he wanted medical attention. Mr. Diaz stated he said, "Yes. I do need medical attention." (Page 3, line 107-108) Mr. Diaz stated his leg was throbbing

because he received several kicks to his leg, which he had surgery on not too long ago, maybe two months prior to this.

Mr. Diaz stated he got to the hospital to get treatment. Mr. Diaz stated he refused treatment because he was handcuffed to a bed, no longer wanted to be handcuffed to a bed, and knew he posted bond so he refused treatment just to make it back to Booking.

Mr. Diaz stated the officers, the next day were nice to him because they understood his situation. Mr.

Diaz stated they brought him back to Booking, no handcuffs and everything was fine. They let him limp his way back into Booking. Mr. Diaz stated they borrowed a walker from the hospital, which they brought him back with. Mr. Diaz stated the officers did what they had to do, and they released him.

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Mr. Diaz stated he is not exactly sure what they meant by that, but he is assuming it was from being kicked. (Mr. Diaz failed to provide hospital records).

Mr. Diaz stated he was consuming alcoholic beverages that evening. Mr. Diaz stated he was drinking Remy (Remy Martin). Mr. Diaz stated between all of them, they drank two pints and then brought out a gallon which they did not get to drink. Mr. Diaz stated they were planning on drinking it, but then all the commotion happened. Mr. Diaz stated he himself drank about six to ten straight shot glasses of Remy about the size of a medicine cup.

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Mr. Diaz stated during the party, the music was loud, but not excessive to the point the police had to come in the manner they did. Mr. Diaz stated if the police would have knocked at the front door, he is almost 99% sure that they would have got a response at the front door and if the police would have just been calm about the whole situation and had the homeowners come to the front of the house it would have turned out a whole lot different. Mr. Diaz stated being that the police blatantly had no respect for anybody there or the homeowners by just coming in the backyard yelling. These officers seemed like they were having a really bad day.

Mr. Diaz stated the officers came back there and said, "the music, lower the music" and started yelling coming through the yard. Mr. Diaz stated his cousin being the homeowner nicely, the first time, told the officers "excuse me, can you please do me a favor, go to the front of the yard you do not have a warrant and I will meet you there." (Page 7, line 306-308) Mr. Diaz stated the female officer just started yelling and the male officer joined right in. Mr. Diaz stated as soon as the female officer got excited the male officer got excited and then next thing you know the yard was full of officers.

Mr. Diaz stated the officers behavior was, "we're cops, and we are going to do what we want, like they normally feel like because they have a badge, and they have authority." (Page 7, line 308-310) Mr. Diaz stated he does not know what goes on in the officer's heads, but he happens to know some officers and they are wonderful people. He does not know what happened this night.

Mr. Diaz stated on that night he was a defenseless person in a wheelchair and got charged with assault two or three times on a Police Officer, for what? He stated, he understands breach of peace or interfering with Officers because he rolled his chair in front of an argument that they were having.

Mr. Diaz described the female officer as a Black female, light skin with dreadlocks. Mr. Diaz stated he

could not describe the male cop because there were too many of them. Mr. Diaz stated there was a DJ at the party playing music and the officers said there was a call of loud music from someone.

Mr. Diaz stated he could not remember everything that happened that night. Mr. Diaz was asked if the reason he could not remember was because he was intoxicated? Mr. Diaz responded, not totally because he was intoxicated, but yes, it was to the point where he woke up the next day and remembered some stuff and not everything. Mr. Diaz was asked, why did he think he could not remember, was it the alcohol or was it something else? Mr. Diaz responded, he has short-term memory loss but, he did not think that would be the reason, it could have been the alcohol. Mr. Diaz was asked if he suffered from a blackout that night or if he passed out? Mr. Diaz responded, "No."

Mr. Diaz was asked if he saw when Fernando Morales was being placed under arrest and he stated "no, he did not see exactly when they placed him under arrest. He did see the video where the police had him on the floor handcuffing him." Mr. Diaz stated he has seen a few videos from this night. Mr. Diaz stated he would figure a way to get them to the Office of Internal Affairs. He stated he knows his wife has two or three videos, but he is not sure. He stated he has seen a couple videos on her phone. They were from a friend of hers who was at the party who also has video. Mr. Diaz did not provide the alleged videos.

Mr. Diaz was asked if at some point, a female officer came next to him talking to someone and did he tugged her pants or touched her trying to get her attention? Mr. Diaz stated he did not recall that.

Mr. Diaz was asked if he remembered seeing a female from the party or anyone throw water at an officer and he stated "no, the only other thing he could remember was as he was leaving the backyard, he remembered he ended up getting wet." He did not remember what it was from, but, ended up getting wet as they wheeled him out towards the front of the house. Mr. Diaz stated he remembered he got wet on the side of his face in the backyard by the gate.

Mr. Diaz stated when they arrived to Booking, from what he could remember, he might have been cuffed, the officer took him out the car and they dragged him by both of his arms and they dragged him up the stairs in booking and brought him to the podium (Booking Desk) there.

Mr. Peter Diaz Statement and Booking Incident Video Comparison:

At 22:41:44 hours Officer Daniel Faroni with the aid of an assisting Officer from the Stratford Police Department remove Mr. Peter Diaz from Officer Faroni's patrol vehicle and drag Mr. Diaz up the booking driveway. They continued to drag Mr. Diaz on the booking ramp sidewalk to the entry door of the booking area. Note: Mr. Peter Diaz at this time would have needed his wheel chair, which was left at the scene after falling out of Officer Faroni's trunk. (Sally Port Ramp camera, Department recordings)

At 22:49:05 hours Officer Daniel Faroni is processing Mr. Diaz at the booking desk. Next to Mr. Diaz is Officer Thomas Lattanzio who is processing Mr. Jose Alvarado. Officer Lattanzio and Mr. Diaz are having words with each other and Officer Lattanzio pushes Mr. Diaz for getting to close to him. Mr. Diaz was handcuffed and standing with an injured leg when he was pushed. (Booking desk side camera, Department recordings)

At 22:52:47 hours Officer Lattanzio and Mr. Diaz are having words again with each other and Officer Lattanzio pushes Mr. Diaz a second time for getting to close to him. Mr. Diaz is handcuffed and standing with an injured leg when pushed. Officer Daniel Faroni continues to process Mr. Diaz. (Booking desk side camera, Department recordings)

At 22:52:52 hours Officer Lattanzio and Mr. Diaz continue to have words with each other and Officer Lattanzio pushes Mr. Diaz a third time for getting too close to him. Mr. Diaz is handcuffed and standing with an injured leg and Officer Daniel Faroni continues to process him. (Booking desk side camera, Department recordings)

At 22:53:04 hours Officer Lattanzio and Mr. Diaz are having words with each other as Officer Daniel Faroni continues to process Mr. Diaz, and Mr. Diaz spits in the face of Officer Lattanzio. Officer Lattanzio punches Mr. Diaz in the face, Mr. Diaz is handcuffed and standing with an injured leg when he is punched. Mr. Diaz falls to the ground unaided and is later placed in holding cell number seven. (Booking desk side and money counter camera, Department recordings)

At 23:53:40 hours Detention Officer Jose Figueroa attempts to secure Mr. Diaz with ankle shackles while in the medical wheel chair. According to Detention Officer Jose Figueroa, Mr. Diaz makes a negative statement about the wife of Detention Officer Jose Figueroa. Officer Figueroa becomes angry and pokes Mr. Diaz in the chest with his right index finger and tells him to "shut the fuck up." (Page 8, line 340-356), (PD3-7 Male 7, Male 6 camera, Department recordings)

At 23:53:46 hours Sergeant Paul Scillia hearing and seeing the negative exchange between Detention Officer Jose Figueroa and Mr. Diaz reaches down and grabs a secondary restraint belt attached to the medical wheel chair, Mr. Diaz is already secured in. Sergeant Scillia after grabbing the loose restraint fastens the belt and with two hands pulls the belt strap tight in an upward motion striking Mr. Diaz in the face with his hands while firmly holding onto the restraint belt. Officer Mario Pecirep and AMR medics 5 - Sec. 1-210(b)(3)A and 5 - Sec. 1-210(b)(3)A are present. (PD3-7 Male 7, Male 6 camera, Department recordings)

Photographs of incident and incident location with Mr. Peter Diaz on 10/21/17 at the Booking desk and cell #7 in the Bridgeport Police Department's, Booking

Photo of Officer Daniel Faroni with Mr. Peter Diaz in wheel chair leaving 316 Colorado Avenue.



Photo of Officer Daniel Faroni with Mr. Peter Diaz in wheel chair going to patrol car.



Photo of Officer Daniel Faroni dragging Mr. Peter Diaz up the booking ramp from patrol car.



Photo of Officer Daniel Faroni dragging Mr. Peter Diaz up booking sidewalk area.

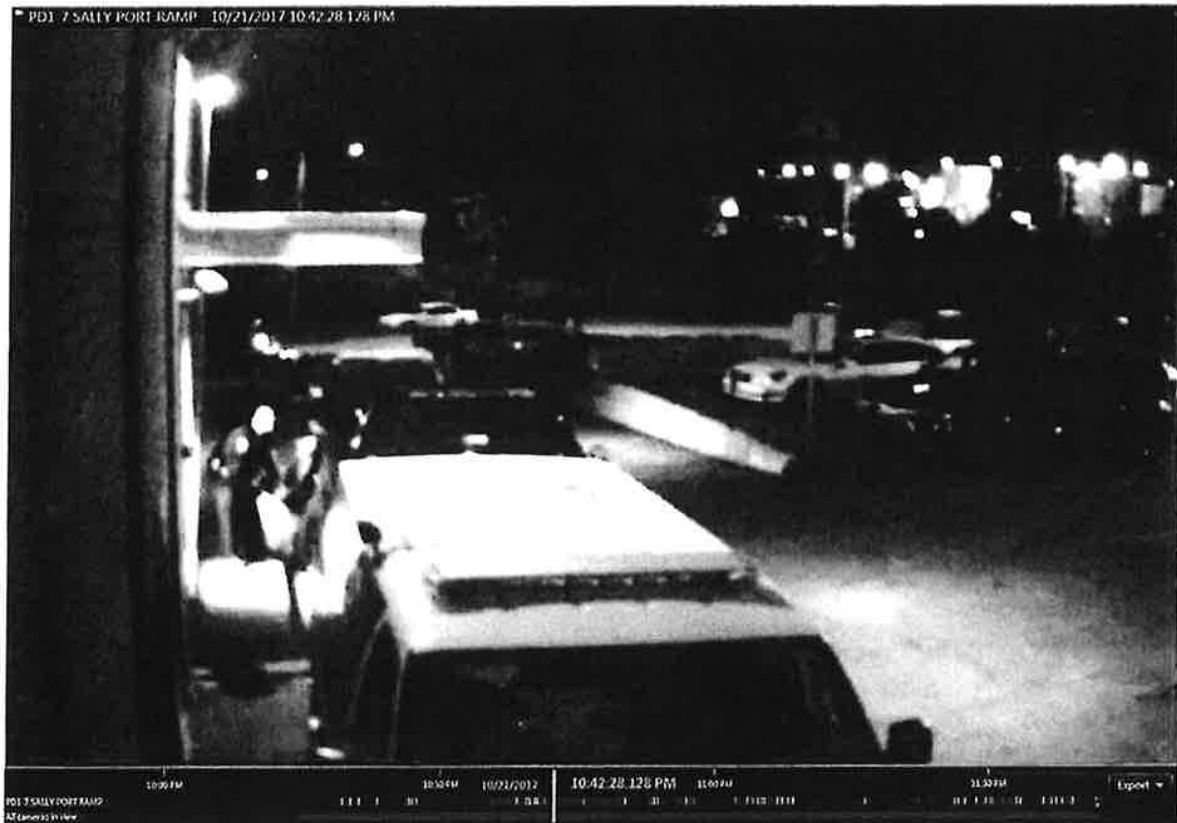


Photo of Officer Daniel Faroni dragging Mr. Peter Diaz into the sally port area.

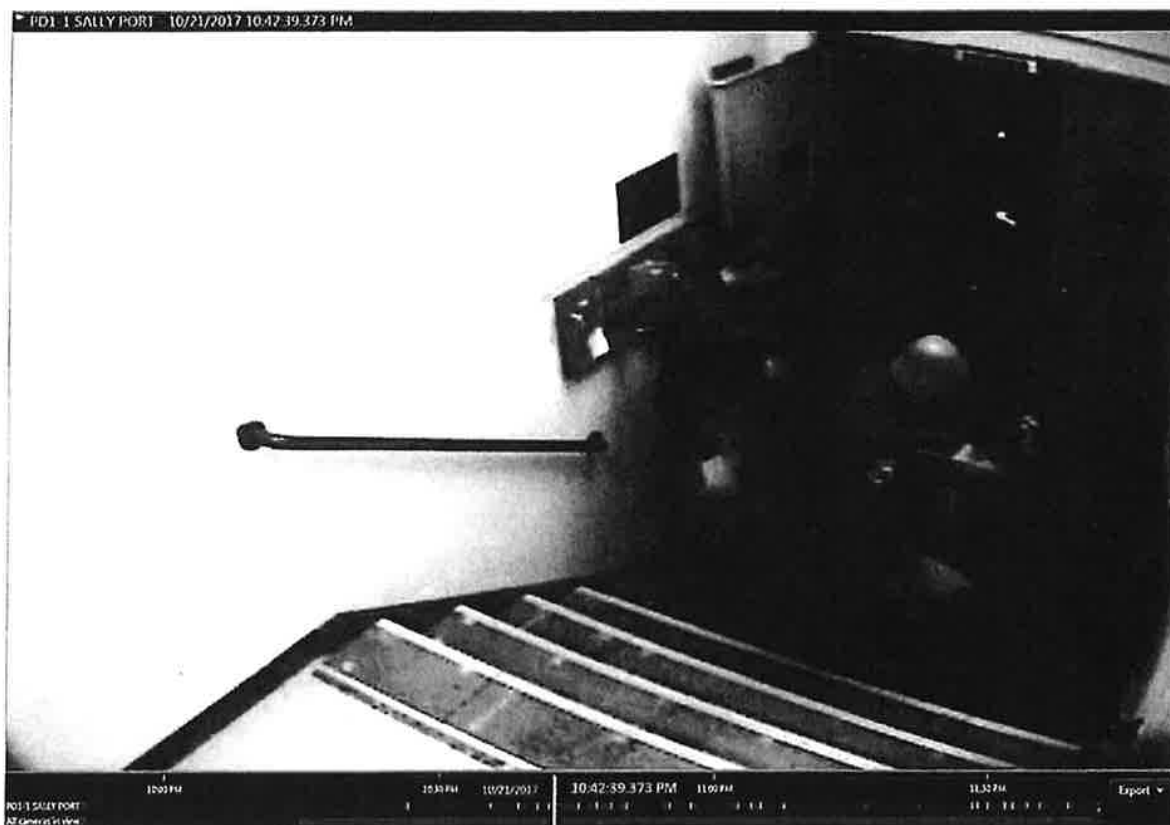


Photo of Officer Daniel Faroni with Mr. Peter Diaz into the sally port area.



Photo of Officer Thomas Lanttonzio punching Mr. Peter Diaz in booking.



Photo of Civilian Detention Officer Jose Figueroa poking Mr. Peter Diaz on the chest in front of male cell 7.

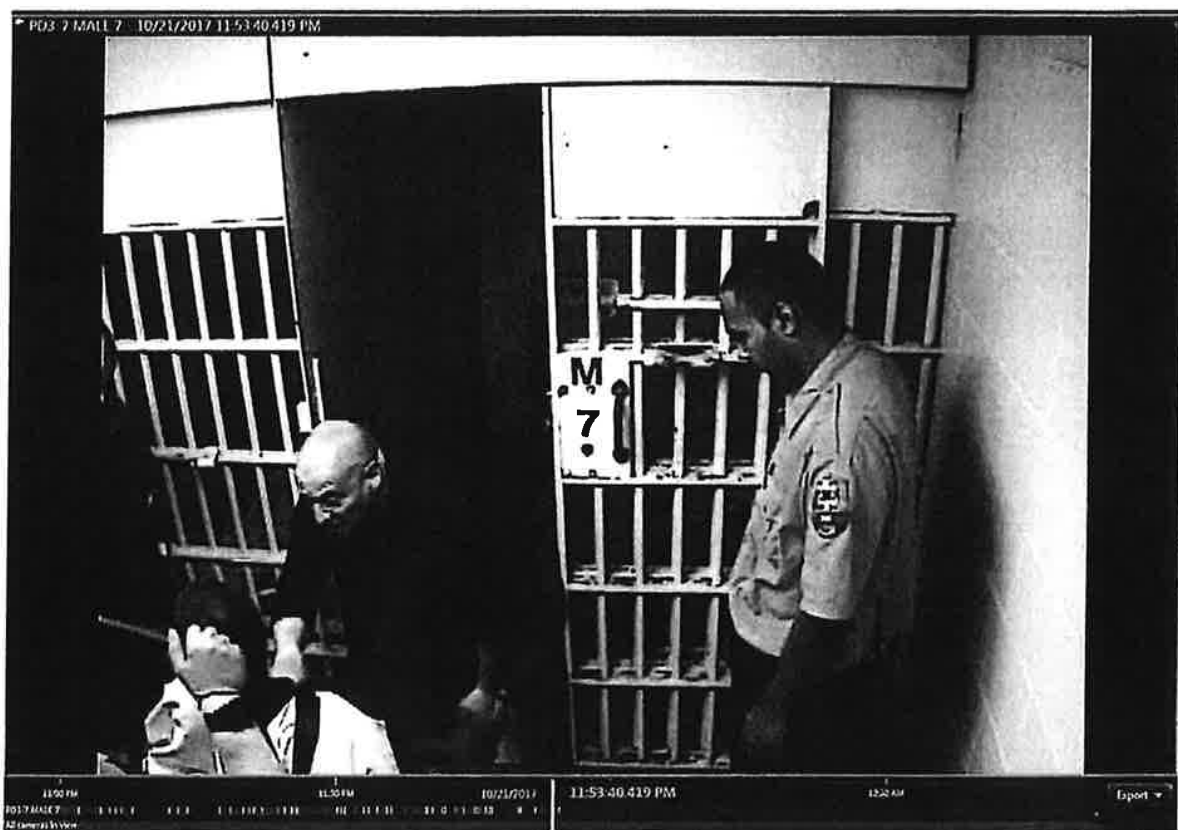


Photo of Sergeant Paul Scillia hitting Mr. Peter Diaz in the face in front of male cell 7.

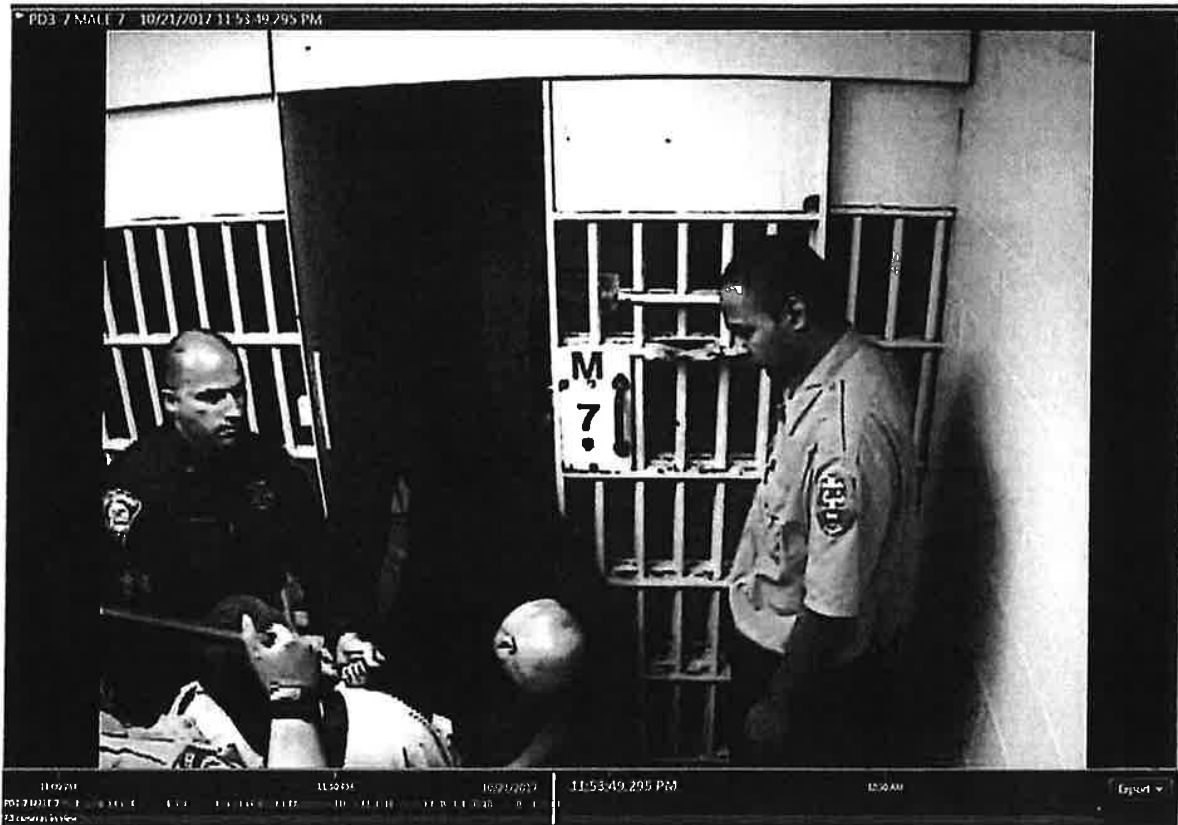


Photo of Sergeant Paul Scillia making contact with the injured leg of Mr. Peter Diaz in front of male cell 7.

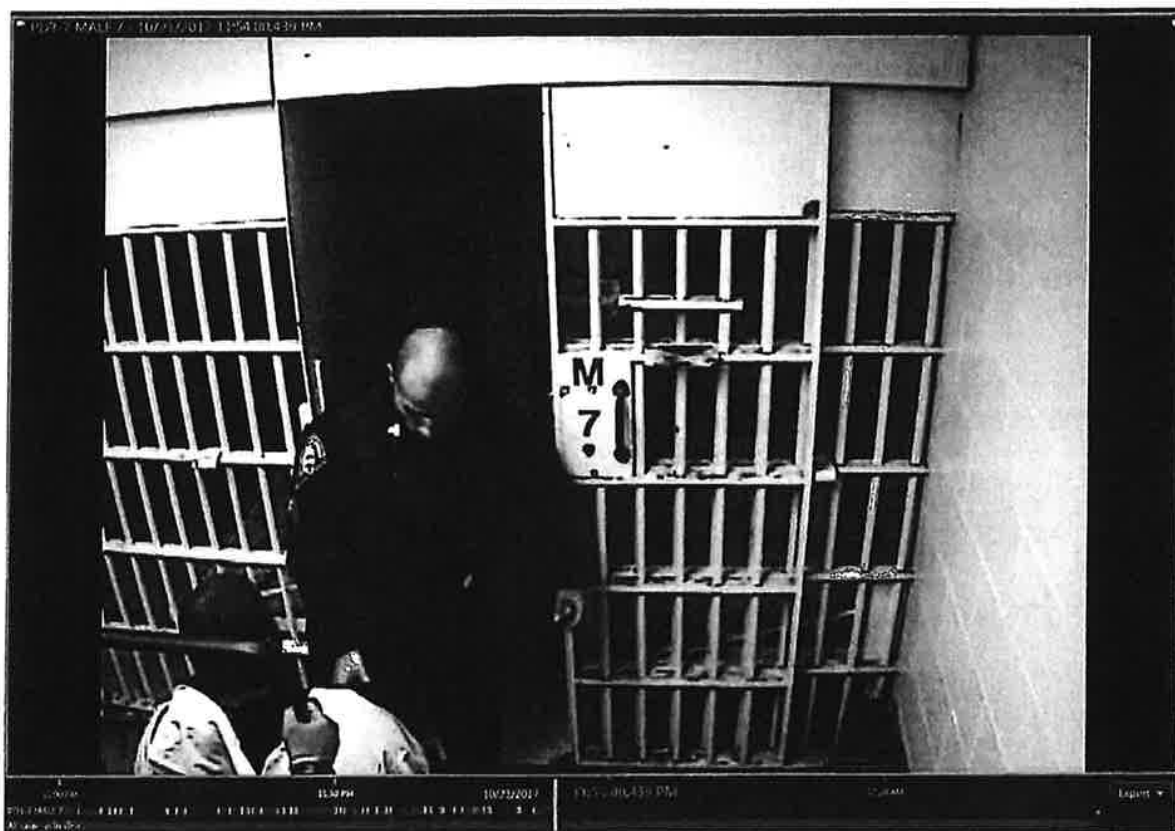


Photo of Male Cell Area Cell number 7.

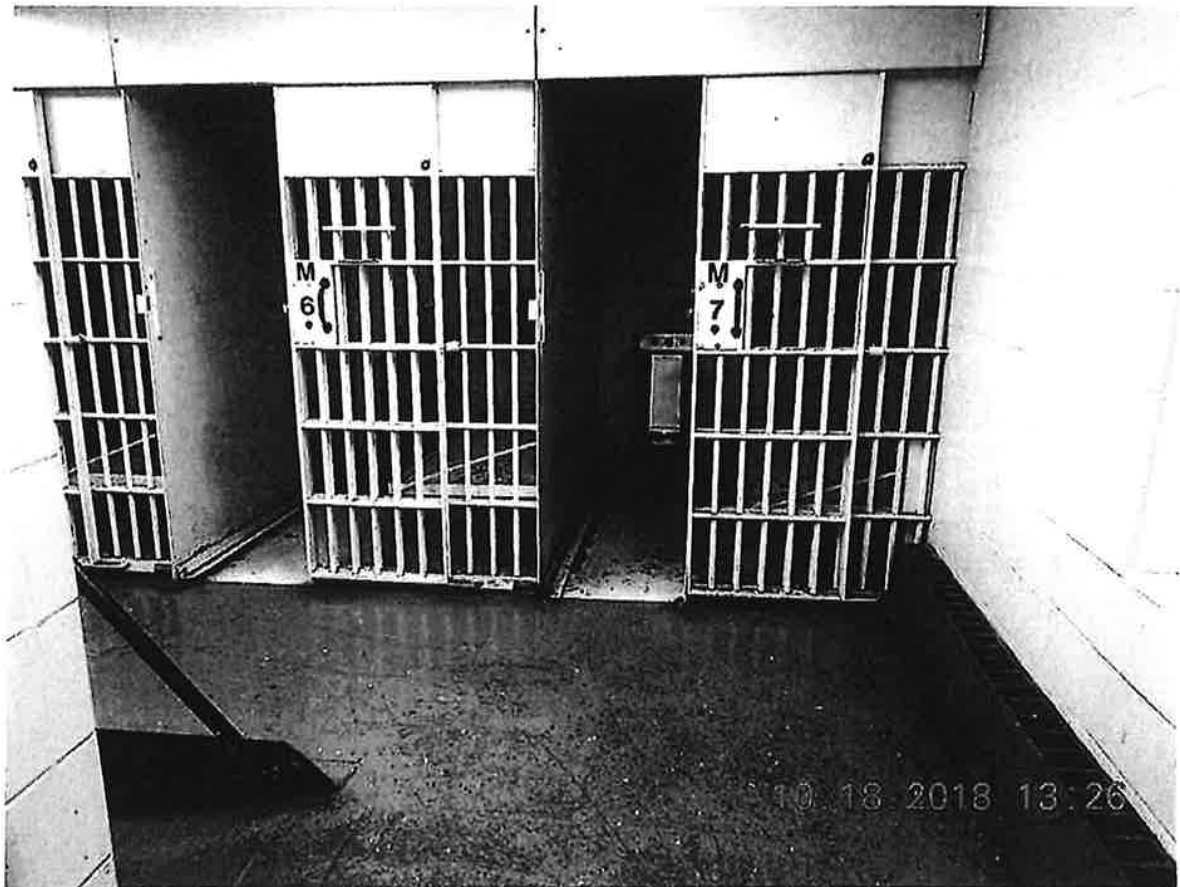


Photo of Male Cell Area Cell number 7, ramp and walkway.

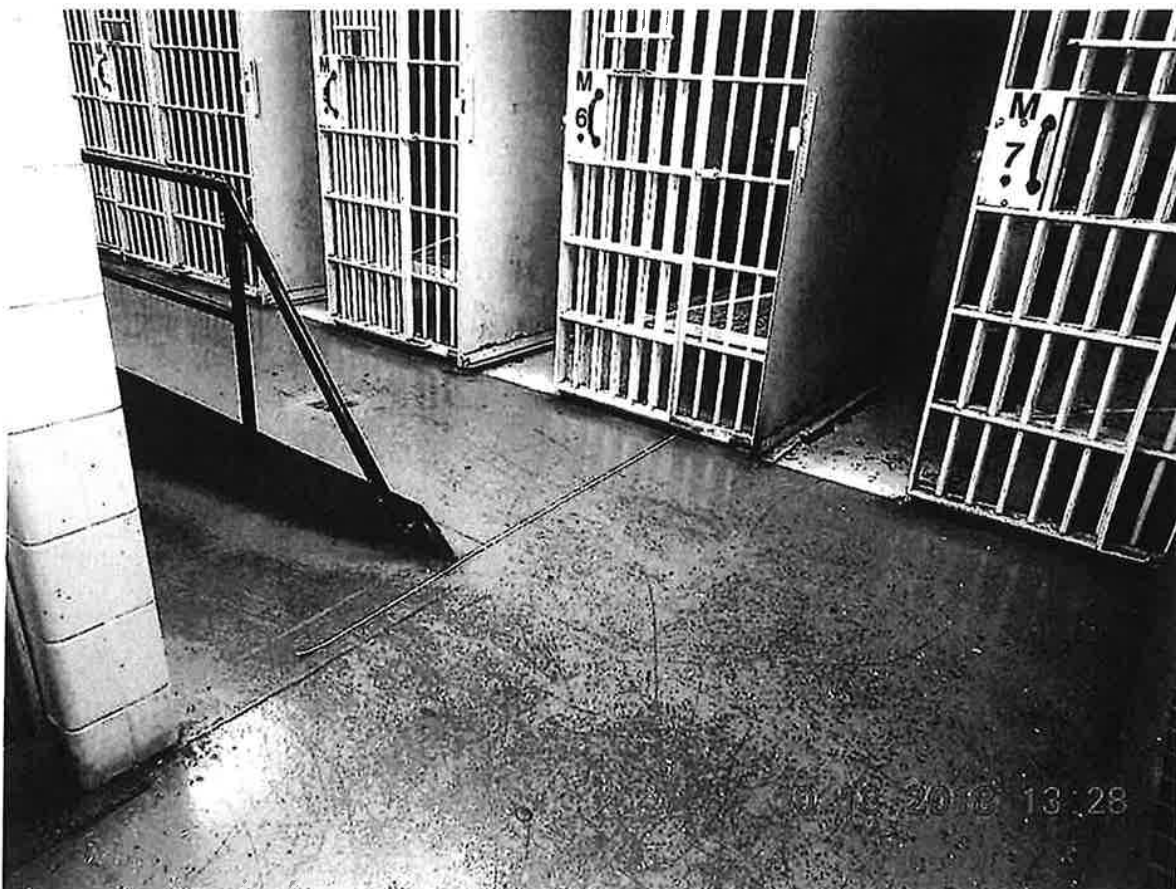


Photo of Male Cell Area Cell number 7 from walkway.



Male Cell Area Cell number 7, 55 inches (4 feet 7 inches) from cell door to railing of walkway and ramp.



Findings: The following are found to be in violation of the Bridgeport Police Departments Policy and Procedures / Rules and regulations among other charges;

Sergeant Paul Scillia / Excessive Force / Sustained / Referred to the Board of Police Commissioners
Sergeant Paul Scillia / Truthfulness / Sustained / Referred to the Board of Police Commissioners
Sergeant Paul Scillia / Failure to Supervise / Sustained / Referred to the Board of Police Commissioners

Officer Michael Stanitis / Excessive Force / Sustained / Referred to the Board of Police Commissioners
Officer Michael Stanitis / Truthfulness / Sustained / Referred to the Board of Police Officer Commissioners

Officer Thomas Lattanzio / Excessive Force / Separated from Service
Officer Thomas Lattanzio / Truthfulness / Separated from Service

Officer Daniel Faroni / Excessive Force / Sustained / Referred to the Board of Police Commissioners
Officer Daniel Faroni / Failure to Protect Property / Sustained / Referred to the Board of Police Commissioners

Officer Joseph Cruz / Excessive Force / Sustained / Referred to the Board of Police Commissioners
Officer Joseph Cruz / Truthfulness / Sustained / Referred to the Board of Police Commissioners

Officer Adam Szeps / Truthfulness / Sustained / Referred to the Board of Police Commissioners
Officer Adam Szeps / Medical Attention / Sustained / Referred to the Board of Police Commissioners

Detective Kenneth Fortes / Truthfulness / Sustained / Referred to the Board of Police Commissioners
Detective Kenneth Fortes / Inaccurate Reporting / Sustained / Referred to the Board of Police Commissioners

Lieutenant Robert Sapiro / Failure to Supervise / Sustained / Referred to the Board of Police Commissioners

Sergeant Mark Belinkie / Failure to Supervise / Sustained / Referred to the Board of Police Commissioners
Sergeant Mark Belinkie / Medical Attention / Sustained / Referred to the Board of Police Commissioners

Civilian Detention Officer Jose Figueroa / Excessive Force / Sustained / Referred to the Board of Police Commissioners

Officer Douglas Bepko / Truthfulness / Sustained / Referred to the Board of Police Commissioners

Officer Todd Sherback / Public Contact / Sustained / Referred to the Board of Police Commissioners

Officer Joseph Pires / Truthfulness / Sustained / Referred to the Board of Police Commissioners
Officer Joseph Pires / Inaccurate Reporting / Sustained / Referred to the Board of Police Commissioners

Officer Matthew Johnson / Dept. Reports & Officers Correspondence / Referred to the Board of Police Commissioners

Officer Linet Castillo / Truthfulness / Sustained / Referred to the Board of Police Commissioners Officer

Civilian Detention Officer Paul Humphrey / Public Contact / Sustained / Referred to the Board of Police Commissioners

Officer Natalie McLaughlin / Truthfulness & Department Reports / Referred to the Board of Police Commissioners

Officer Michael Mazzacco / Racial Slur / Sustained / Referred to the Board of Police Commissioners

Officer Steven Silva / Medical Attention / Sustained / Referred to the Board of Police Commissioners

Investigative Referrals

On October 23, 2017, Chief Armando Perez requested both a criminal and an internal/administrative investigation be conducted concerning the actions of Sergeant Paul Scillia and Officer Thomas Lattanzio in the holding facility on the night of Saturday, October 21, 2017.

This investigator forwarded all relevant video footage obtained by the Office of Internal Affairs, for review for possible CT Statute violation(s) should the criteria of probable cause be established.

On October 25, 2017 documentation was sent to Chief Armando Perez, Chief's Office.

On November 29, 2017 documentation was sent to Captain Roderick Porter, Detective Bureau.

On January 30, 2018 documentation was sent to Lieutenant Christopher Lamaine, Detective Bureau.

This investigator forwarded all relevant video footage obtained by the Office of Internal Affairs, for review to the City Attorney's Office should the criteria of exculpatory evidence be established.

1 - Attorney/Client

Introduction:

On Saturday October 21, 2017 at approximately 2220 hours Officer Natalie McLaughlin was dispatched to the area of State Street and Colorado Avenue to investigate a noise complaint. The call was confirmed on Emergency Communications Center Incident Summary and Emergency Communications Center Tapes. Officer McLaughlin was assigned this call thru CAD under file # 171021-297 and documented the following:

The Bridgeport Police Department Incident report was written and signed by Officer Natalie McLaughlin. This incident police report was dated 10/21/17 and documented Officer McLaughlin's account of the incident and the arrests while on scene at 316 Colorado Avenue on 10/21/17.

Officer McLaughlin documented she was dispatched to the area of State Street/Colorado Avenue for a noise complaint. CAD informed Officer McLaughlin that the caller stated the noise could be coming from the area of Fairfield Avenue/Colorado Avenue. Officer McLaughlin patrolled the area of Fairfield Avenue/Colorado Avenue and determined this area was clear at this time.

Officer McLaughlin then patrolled the area of 316 Colorado Avenue where she observed a Halloween party taking place and heard loud music coming from the back-yard area of this address. Officer McLaughlin and cover car Blue 14 Officer Bobby Hernandez exited their marked patrol vehicles and attempted to make contact with the owners of the home.

Immediately Officers were greeted by multiple people who insisted on telling Officers that the party is not that loud and that they should be concerned with the house down the Street since they host parties with loud music until 4 a.m. regularly.

Officer McLaughlin then asked to speak with the owner of the home again when a Hispanic female dressed in a wonder woman costume later identified as Mendez, Wanda (SI), said it was her home. Mendez stated that this is the first time she has hosted a party at her residence and cannot understand why Police were being called to shut it down. Mendez went on to say that Officers need to leave her property since no crime (Noise Ordinance Violation) was being committed.

Officer McLaughlin documented, a Hispanic male dressed in a superman costume later identified as Morales, Fernando (S2), came forward and stated that this was his home and Officers needed to "get the fuck off his property". Officer McLaughlin smelled an alcoholic beverage emanating from Morales breath. Multiple people from the crowd including Mendez attempted to hold Morales back since he was being very aggressive and attempting to get in Officers faces. Morales then attempted to point his finger in Officer Hernandez face, but he was prevented by parties restraining him. At this point Officer McLaughlin got on her radio and called for more cover units.

A few minutes later cover car Blue 12 Officer Michael Mazzacco arrived on scene to assist with the growing aggressive crowd. Officer McLaughlin documented as she attempted to separate Mendez to speak with her privately about the noise, Officer McLaughlin noticed a Hispanic male in a wheel chair later identified as Diaz, Peter (S3), tugging on her right pant leg located on her duty weapon side. She gave Diaz several verbal commands to back off, but he continued to pull on her pant leg stating he does not have to move because he is doing nothing wrong.

Officer McLaughlin documented she heard Morales threaten Officer Mazzacco and state " fuck you, you bitch ass nigga, I will fuck you and your family up" she also observed Morales run up to Officer Mazzacco in an aggressive manner but was blocked by parties in the crowd who begged Morales to calm

down. Morales was then advised he was under arrest where he continued to shout profanities at Officers stating, " I'm not going anywhere".

Officer McLaughlin documented Officer Mazzacco got on his radio and called a 10-32 (Officer needs help).

- The undersigned Sergeant reviewed the Bridgeport Police Incident Report 20171021297 report and observed that UB-1 Officer Sherback requested more cover units via police radio, channel 1, dispatch notified Fairfield Police and they informed dispatch they would respond to assist. VCI Sergeant Scillia then requested K-9 units via police radio, channel 1, and dispatch advised Trumbull Police K-9 unit and Fairfield Police K-9 units were responding. (At this point most Officers on the shift responded to 316 Colorado Avenue to include mutual aid from the town of Fairfield Police and Stratford Police Departments.)

Officer McLaughlin documented observing Mendez blocking Officer Mazzacco in attempts from arresting Morales. Officer McLaughlin observed Mendez push Officer Mazzacco in the chest and state "fuck you get the fuck off my property". Mendez was placed under arrest where she actively resisted. Mendez was placed in handcuffs (double locked) by cover car Blue 13 Officer Stravos Mirtsopoulos. Mendez was later transported to booking by a marked patrol vehicle.

Morales continued to shout profanities at Officers stating no one was going to remove him from his property. Officer McLaughlin advised Cover car UB1 Officer Todd Sherback that Morales was under arrest and asked for assistance with his apprehension. Officer McLaughlin observed Morales bump Officer Sherback and walk past him as he continued to shout, "get the fuck off my property", at Officers.

Officer McLaughlin documented she unholstered her taser (electric control device) and pointed it at Morales' chest area and gave Morales multiple commands to get on the ground or he would be tased. After multiple verbal commands Morales eventually complied with her commands where Morales was then handcuffed (double locked) and placed under arrest by Officer Sherback.

Officer McLaughlin documented she observed cover car Post 8 Officer Mark Blackwell run up the back-porch steps to place a Hispanic female later identified as Deida, Sara (S4), in handcuffs who later was found to have thrown water on Officer Blackwell. Deida was actively resisting Officers stating, "I speak no English". Officer McLaughlin eventually gained control of Deida's hands and placed her under arrest where she was handcuffed (double locked). Deida was escorted to a marked patrol vehicle and transported to booking.

Officer McLaughlin documented she observed a Hispanic male later identified as Mendez, Carmelo (S5), pull away from cover car Amber 21 Officer Hugo Stern when Officer Stern attempted to guide Carmelo off the property by placing his hand on his shoulder since Carmelo refused to leave the property stating, " fuck you I'm not going anywhere". Carmelo was then guided by cover car Blue 15 Officer Adam Szeps to the ground where he attempted to place Carmelo in handcuffs. Officer McLaughlin documented she heard Officer Szeps yell "gun" where she assisted him by holding down Carmelo's legs since he was still actively resisting arrest.

Officer McLaughlin documented due to the chaotic and hostile scene, multiple parties were arrested and transported to booking. Refer to Officer Mazzacco, Mirtsopolous, Hernandez, Szeps, Sherback, Cruz, Silva, Castillo, Stern, Blackwell and Johnson's addendums for further information.

Note: Diaz complained of pain from facial injuries caused on scene. There were no visible marks on Diaz' face

4 - HIPAA

4 - HIPAA

Carmelo sustained facial injuries

4 - HIPAA

4 - HIPAA

Carmelo also passed out in the holding cell

4 - HIPAA

(Note:

Based on the video captured in Booking, Mr. Carmelo Mendez was handcuffed when he passed out.)

2 - CGS Sec. 29-28(d)

2 - CGS Sec. 29-28(d)

_____ were also placed into evidence under receipt # 17m-1391. A box cutter was also recovered from Davila which was also placed into evidence under receipt # 17m-1390.

The suspects were charged with the following:

Mendez, Wanda (S1)

53A-167c Assault on A Police Officer (CTS)

53a-167a Interfering W/A Police Officer

53a-181 Breach of Peace

53a-170 Inciting A Riot

BOND SET AT \$25,000

Morales, Fernando (S2)

53A-167c Assault on A Police Officer

53a-167a Interfering W/A Police Officer

53a-181 Breach of Peace

53a-170 Inciting A Riot

BOND SET AT \$25,000

Diaz, Peter (S3)

53A-167c Assault on A Police Officer

53a-181 Breach of Peace

53a-62 Threatening 2nd

BOND SET AT \$25,000

Deida, Sara (S4)

53a-167a Interfering W/A Police Officer

53a-167c Assault on A Police Officer

53a-181 Breach of Peace

BOND SET AT \$10,000

Mendez, Carmelo (S5)

53a-167a Interfering W/A Police Officer

53a-181 Breach of Peace

BOND SET AT \$5,000

Alvarado, Jose (S6)

53a-167a Interfering W/A Police Officer

53a-181 Breach of Peace

BOND SET AT \$5,000

Davila, Ramon (S7)
53a-167a Interfering W/A Police Officer
53-206(a) Carrying Dangerous Weapons
53a-181 Breach of Peace
BOND SET AT \$5,000

All bonds were set by blue sector Sergeant I. Delgado. Sergeant Delgado signed off on paperwork.

This initial noise complaint led to the subsequent arrest of Mr. Carmelo Mendez, Mr. Peter Diaz, Mr. Fernando Morales, Mrs. Wanda Mendez, Mrs. Sara Deida, Mr. Ramon Davila, Mr. Jose Alvarado and Mr. Jose Rosario. Multiple recordings of video footage surfaced which resulted in concerns over allegations of misconduct relative to physical force used by Sergeant Paul Scillia, Officer Michael Stanitis, Officer Thomas Lattanzio and Officer Joseph Cruz.

I. Tactical Analysis:

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Officer Natalie McLaughlin found herself on October 21, 2017 ultimately developed into a chaotic scene. The scene reconstruction has proven challenging due to the inability to obtain access to the scene without the cooperation of the home owners and the Unusual Occurrences which was reported on the same night to the Office of Internal Affairs.

During this incident on Colorado Avenue on October 21, 2017, the entire C-shift and some of the A-shift officers responded. It was found during the course of this investigation approximately (46) forty-six officers responded to the scene.

Approximately 54 officers were later interviewed, and it was found throughout this investigation, to include video footage captured and officer's statements obtained, officers were found to have used some type of force during this incident which will be discussed in the following narrative.

The following used physical force:

Officer Adam Szeps-Carmelo Mendez-Use of Force completed
Officer Natalie McLaughlin-Fernando Morales-Use of Force completed
Officer Mark Blackwell
Officer Matthew Johnson
Officer Todd Sherback
Officer Stavros Mirtsopoulos-Wanda Mendez-Use of Force completed
Officer Daniel Faroni-Peter Diaz-Use of Force completed
Officer Michael Mazzacco
Officer Joseph Pires-Jose Rosario, Fernando Morales-Use of Force completed
Officer Michael Stanitis-Fernando Morales--Use of Force completed
Detective Kenneth Fortes-Carmelo Mendez-Use of Force completed (report received on 11/03/17)
Officer Linet Castillo-Fernando Morales-Use of Force completed
Officer Bobby Hernandez-Carmelo Mendez-Use of Force completed

The following appeared to have engaged in the use of Excessive physical force:

Sergeant Paul Scillia-Carmelo Mendez, Peter Diaz-No use of force completed
Officer Michael Stanitis-Carmelo Mendez—**NO** Use of Force completed
Officer Joseph Cruz-Ramon Davila-Use of Force completed
Officer Thomas Lattanzio-Jose Alvarado, Peter Diaz-Use of Force completed
Officer Daniel Faroni-Peter Diaz-Use of Force completed
Detention Officer Jose Figueroa-Peter Diaz-No use of force

Consequently, Officers depicted above engaged with multiple civilians labeling this Noise complaint / Breach of Peace / Interfering with an Officer incident as a chaotic scene.

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense. In this case a determination relative to Noise complaint / Breach of Peace / Interfering with an Officer and Assault on a Police Officer.

A determination must also be made as to whether the force used complied with the requirements of *Graham v. Connor* as to be objectively reasonable. First, how serious was the offense that the officer suspected at the time the officer used force? Officers statements indicate a 10-32 (Officer needs assistance) was called and the scene was chaotic with non-cooperating civilians which resulted in multiple arrests. The original offense was a noise complaint related and subsequently compliance related charges.

Second, did the suspects pose a threat to the officers or any other persons present. Officers offer that the suspects were resisting and non-compliant. Subsequent to this incident on October 21, 2017 Officers: reported a chaotic scene which would on its face tend to support the threat to officer's safety due to the alleged chaotic scene. However, this investigator is unable to determine based on the prevailing information as to whether this circumstance would have occurred absent the reported signal 10-32 (Officer needs assistance) by Officer Mazzacco.

Third, was the suspects actively resisting or attempting to evade arrest by their non-cooperation. In reference to the 3rd prong of *Graham v. Connor* based on all information reviewed by this investigator the suspects, Fernando Morales, Wanda Mendez, Peter Diaz, Sara Deida, Ramon Davila, Jose Alvarado and Jose Rosario actions are in fact consistent with actively resisting. Officers explained they attempted to first have the suspects turn down the music and when that was not working they moved to shutting down the party and having them disperse. In a thorough review and examination, it appeared during the captured incident that Officers McLaughlin and B. Hernandez, although there is no sound, attempted to verbally calm down Wanda Mendez and Fernando Morales who appeared to aggressively verbally engaged with officers. Mr. Morales squared off against officers by aggressively taking a fighting stance. Mr. Morales was so aggressive in his actions that other civilians in close proximity attempted to stop Mr. Morales by grabbing him and pulling him away from the officers. Mr. Morales broke away from the civilians while continuing to go toward the officers. The resulting effect based on all accounts was anger by the suspects arrested and toward Officers and apparently responding officers.

Officer Thomas Lattanzio violates well established case law, public trust, and the basic tenets of policing by striking Jose Alvarado while attempting to handcuff him. Officer Lattanzio contended that he slapped/tapped suspect Jose Alvarado on the back of the neck, citing "a controlling maneuver and it worked" Page 13, line 559 while he was handcuffed. This incident was captured on video from the surveillance cameras from the home at 316 Colorado Avenue.

Furthermore, Officer Lattanzio violates well established case law, public trust, and the basic tenets of policing contending that he struck handcuffed and injured prisoner Peter Diaz while in Booking because Peter Diaz spit in his face which landed in his left eye, nose and mouth. Officer Lattanzio furthered he was unaware Peter Diaz was handcuffed or injured at the time and was afraid Peter Diaz was going to pick up a pen and stab him. Note: Prior to Officer Lattanzio striking Mr. Diaz in the face with a closed fist, Officer Lattanzio after being spit on takes a step back, places his pen in left front chest pocket and appears to collect himself before striking Mr. Diaz.

In examining the incident and reviewing the video, taking into consideration if and when the suspects submitted or succumbed to the officer, this investigator has reviewed efforts made to temper the severity of the force response. Officer Lattanzio proffered that his actions were to take control of the incident.

II. Identification of Witnesses:

Efforts commenced immediately to identify and interview witnesses including every person who was on scene, had witnessed the event, or may have information relative to this incident.

Several members of the Office of Internal Affairs thru Law Office of Attorney Robert Berke who was representing the arrested subjects in this matter, made several attempts to conduct a site visit to Mr. Fernando Morales and Mrs. Wanda Mendez's residence to no avail. The undersigned Sergeant sent correspondences to arrested subjects, Mr. Fernando Morales, Mrs. Wanda Mendez, Mr. Carmelo Mendez, Mr. Peter Diaz, Mrs. Sara Deida, Mr. Ramon Davila, Mr. Jose Alvarado and Mr. Jose Rosario.

Despite exhaustive efforts to interview all arrested subjects; only Mr. Carmelo Mendez and Mr. Peter Diaz presented for statement purposes or to present any further corroborate evidence. The undersigned Sergeant was able to secure a statement from Mr. Carmelo Mendez and Mr. Peter Diaz.

The Office of Internal Affairs sent (AMR) American Medical Response personnel, 5 - Sec. 1-210(b)(3)A and 5 - Sec. 1-210(b)(3)A who were in Booking on October 21, 2017 and may have witnessed this incident, notification letters by Certified mail and Standard mail to their place of employment, the 5 - Sec. 1-210(b)(3)A which were delivered on October 22, 2018.

These letters were to notify 5 - Sec. 1-210(b)(3)A and 5 - Sec. 1-210(b)(3)A of an Internal Affairs Investigation which was in progress and to schedule an interview with them relative to this investigation. On October 8, 2018 5 - Sec. 1-210(b)(3)A called and left a message with her contact information.

On October 23, 2018 5 - Sec. 1-210(b)(3)A was called and a message was left for her on voicemail to schedule an interview.

As of November 1, 2018, neither 5 - Sec. 1-210(b)(3)A nor 5 - Sec. 1-210(b)(3)A have called Internal Affairs.

III. Video Acquisition:

Attorney Robert Berke who is representing Wanda Mendez, Fernando Morales and Carmelo Mendez provided the Office of Internal Affairs with video captured on October 21, 2017 from several different views at 316 Colorado Avenue.

Mr. Carmelo Mendez provided the Office of Internal Affairs video captured from his personal cell phone as well as video captured from video cameras located at 316 Colorado Avenue on October 21, 2017.

Video Footage which was recovered by 6 - Sec. 1-210(b)(3)E 6 - Sec. 1-210(b)(3)E

Video footage obtained for October 21, 2017, from inside the processing, male holding cells, bullpen and officers report writing room and outside on the ramp of the Bridgeport Police Department's Booking area.

Condensed Video footage assembled from collected videos displaying alleged police misconduct violating the policy and procedures of the Bridgeport Police Department. (Video #28)

IV. Event Timeline:

A series of relevant events took place on Saturday October 21, 2017 which were discovered during this investigation. The events will be listed below, in a brief event timeline, detailing what appears to have transpired between several Bridgeport Police Officers and the people who were arrested. On the night of October 21, 2017 Officers responded to 316 Colorado Avenue a residential home to investigate a noise complaint. While there, Officers made several arrests resulting in police misconduct believed to have injured two of the people who were arrested.

The people who were ultimately arrested were transported to the Bridgeport Police Booking Area located at 300 Congress Street which gave rise to further apparent police misconduct. The Police misconduct involved several Officers relevant to this investigation conducted by the undersigned Sergeant. A catalogue of relevant events in the following timeline are based on police reports, videos, statements and information gathered throughout the duration of this investigation and will be presented below. The times associated with these events are approximate and are based on dispatch recordings, dispatch logs, residential video, cell phone video and police department video obtained as a result of this investigation.

At 22:01:11 hours on Saturday October 21, 2017, Operator 81 of Bridgeport Police Dispatch Center, received a complaint from a male caller who refused to give his name. The unknown male stated somewhere on Colorado Avenue a large festival or party with spot lights and loud music was occurring. (Bridgeport Police Dispatch log)

At 22:07:10 hours, Operator 81 of Bridgeport Police Dispatch Center received a second call from a woman caller who stated between Fairfield Avenue and State Street there was a large party going on and the music was very loud, and the party was directly behind her home **5 - Sec. 1-210(b)(3)A** (Bridgeport Police Dispatch log)

At 22:17:48 hours Officer Natalie McLaughlin (Blue 11) was dispatched to the area of State Street and Colorado Avenue on report of a party with loud music, reported by two complainants. Officer McLaughlin was given file number 171021-297, Officer Bobby Hernandez (Blue 14) was also dispatched to cover Officer McLaughlin on the call. (Bridgeport Police Dispatch log)

At 22:20:52 hours Officer McLaughlin arrived in the area of her call and transmitted to dispatch she had located a party mid-block on Colorado Avenue, the exact address was 316 Colorado Avenue. Officer Bobby Hernandez also arrived as the cover unit with Officer McLaughlin. (Bridgeport Police Dispatch recordings Ch 1)

At 22:24:24 hours Officer McLaughlin transmitted to dispatch, "11 on one, send me backup." Dispatch requests units to respond for cover, 17 (Officer Faroni), 16 (Officer Lattanzio), UB1 Officer Sherback and 12 (Officer Mazzacco) transmitted they would cover. (Bridgeport Police Dispatch recordings Ch 1)

At 22:26:08 hours Officer Michael Mazzacco transmitted to dispatch, "Bring them, 10-32, send all Officers over here, we have non-complaint individuals over here who are threatening Police Officers, send more Officers now." (Bridgeport Police Dispatch Ch 1)

At 22:26:13 hours dispatch transmitted 10-32 and instructs all units to respond to 316 Colorado Avenue. (Bridgeport Police Dispatch Ch 1)

At 22:27:24 hours Officer Michael Mazzacco pulls the home owner Mrs. Wanda Mendez from the group of party goers and instructs assisting officer to place her under arrest. Mrs. Mendez is handcuffed by

assisting Officers, Faroni and Mirtsopoulos and escorted off her property. (residential video from 316 Colorado Avenue)

At 22:27:29 hours UB1 (Officer Sherback) transmitted to dispatch, "send the cars." (Bridgeport Police Dispatch Ch 1)

At 22:27:49 hours Officer McLaughlin and Officer Sherback arrest the home owner Mr. Fernando Morales after instructing him to get on the ground while Officer McLaughlin is pointing her tazer at him and Officer Mazzacco was present. Mr. Fernando Morales was argumentative and handcuffed by Officer Sherback. During the handcuffing Mr. Fernando said "fuck you" to Officer Sherback and Officer Sherback said "fuck you" right back to Mr. Morales. This incident was captured on scene during the arrest of Mr. Morales. Mr. Morales is escorted off his property by Officer Sherback and Officer Stanitis. Officer Stanitis and Officer Pires placed Mr. Fernando in a police vehicle with the use of force per the report of Officer Pires although this is not captured on video. (residential video 316 Colorado Avenue)

Officer Linet Castillo also participated in the use of force while aiding Officer Stanitis and Pires with Mr. Morales as they attempted to secure him a vehicle. Officer Linet Castillo completed two supplemental reports about the same incident, one documented the names of Officer Stanitis and Officer Pires the other did not. One supplemental report was signed by Sergeant Delgado the other was signed by Sergeant Long and both were dated October 21, 2017. (Exhibit Record #17 Supplemental Reports)

At 22:28:19 hours Officer Michael Mazzacco points to Mr. Peter Diaz who is a wheel chair and says out loud "he is going to, he wants to slap my hands away, he is going to, I am a bitch as nigger to, right, you're going," Officer Mazzacco is instructing assisting Officers to arrest Mr. Diaz, assisting Officer, Officer Faroni wheels Mr. Diaz down the driveway and while doing so liquid is thrown on Officer Faroni, Officer Mark Blackwell and Mr. Diaz by Mrs. Sara Deida. (residential video 316 Colorado Avenue and cell phone video)

At 22:28:23 hours dispatch informs units as they are responding to the scene Fairfield Police have been notified and will be responding. (Bridgeport Police Dispatch Ch 1)

At 22:29:04 hours Officer Natalie McLaughlin, Officer Mark Blackwell and Officer Matthew Johnson arrest Mrs. Sara Deida the on rear deck of the home. Mrs. Sara Deida is escorted off the property by Officer Mark Blackwell. (cell phone video) Officer Blackwell completed a supplement report the following day documenting his actions. Officer Matthew Johnson complete two supplemental reports documenting the same incident dated October 21, 2017. One of the reports documented the resistance of Mrs. Deida and the other did not. One report was signed by Sergeant Delgado the other was signed by Sergeant Long. (Exhibit Record #17 Supplemental Reports)

At 22:29:26 hours Officer Thomas Lattanzio strikes Mr. Jose Alvarado twice on the left shoulder with the palm of his hand while attempting to handcuff Mr. Alvarado and place him under arrest. Present during the arrest of Mr. Alvarado were Officer Todd Sherback and Officer Douglas Bepko. Mr. Jose Alvarado is escorted off the property by Officer Lattanzio. (residential video 316 Colorado Avenue and cell phone video)

At 22:29:43 hours Officer Joseph Cruz is holding Mr. Ramon Davila by the left arm and appears to be instructed by Officer Mazzacco to place him under arrest. Officer Joseph Cruz then forces Mr. Davila to the ground by the left arm and left shoulder in a sweeping motion. Mr. Davila was handcuffed with the aid of several Officers. Mr. Davila is escorted by Officer Mirtsopoulus to his patrol vehicle.

Officer Joseph Cruz returns his attention to the arrest of Mr. Carmelo Mendez. (residential video 316 Colorado Avenue and cell phone video)

At 22:30:33 hours Sergeant Delgado, Officer Stern and Officer Szeps approach Mr. Carmelo Mendez who is recording police conduct with his cell phone in his hand. Officer Stern tells Mr. Mendez "the party is over let's go." Mr. Mendez responds don't touch me this is my sister's house, Officer Stern says let's go. Officer Szeps then grabs Mr. Mendez by the left arm and forces him to the ground. Mr. Mendez is heard saying, oh he just punched me. Mr. Mendez is then surrounded by numerous Officers and one officer says, he's got a gun. Numerous Officer are struggling to control Mr. Mendez while he is lying on the ground attempting to place him under arrest. (residential video 316 Colorado Avenue and cell phone video). Officer Stern notes in his police report, Mr. Mendez swung his arm at him in an outward motion in order to prevent any further contact after Officer Stern attempted to place his hand on his arm to guide him out. (Bridgeport Police Report)

At 22:30:41 hours during the struggle with Mr. Mendez, Officer Douglas Bepko was seen on residential video purposely attempting to block a female party goer from recording the arrest of Mr. Carmelo Mendez with her camera. Officer Bepko steps in front of the female party goer four times. The fourth time to purposely block her view, Officer Bepko appears to place his illuminated flashlight in the lens of her camera to interfere with the recording of the arrest of Mr. Carmelo Mendez. (residential video 316 Colorado Avenue)

At 22:30:53 hours Officer Stanitis as he walks into the yard with Lieutenant Sapiro is observing other Officers struggling to handcuff Mr. Mendez. (residential video 316 Colorado Avenue)

At 22:30:55 hours Officer Stanitis removes an item from his duty belt consistent with where Officers commonly carry their flashlight from the left rear side of his body. Officer Stanitis looks in the direction of Lieutenant Sapiro momentarily, Lieutenant Sapiro at the time was looking in the opposite direction of Officers struggling to handcuff Mr. Mendez. Officer Stanitis positioned himself in the group of Officers near Mr. Mendez's head. (residential video 316 Colorado Avenue)

At 22:30:56 Officer Bobby Hernandez appears to give Detective Fortes an item from the left side of his duty belt which appears to be an asp based on the corroboration of officers report and documentation. Detective Fortes uses the asp to control Mr. Menendez and remove his hands from underneath his body which Detective Fortes described in his statement. Detective Fortes would days later complete a use of force report and an official report documenting his actions during the incident. (residential video 316 Colorado Avenue)

At 22:30:57 Sergeant Scillia with his right hand appears to punch to Mr. Mendez while he is on the ground, at this point in the video it appears Mr. Mendez is not yet handcuffed. (residential video 316 Colorado Avenue)

At 22:30:58 Sergeant Scillia appears to kick or stomp on Mr. Mendez using his right leg. Sergeant Scillia then steps into the group of Officers who have circled Mr. Mendez, attempting to control Mr. Mendez while he is on the ground. Sergeant Scillia maintains this position observing Officers during the entire handcuffing and arrest of Mr. Mendez to its conclusion. (residential video 316 Colorado Avenue)

At 22:31:01 hours a flash of light is seen directly under the torso of Officer Michael Stanitis (appears to be the illumination of his flashlight) now in his hand. (residential video 316 Colorado Avenue)

At 22:31:03 Officer Stanitis kneels between Officer Stephen Silva and Officer Bobby Hernandez and appears to rapidly move his right arm back and forth in a thrusting motion toward the head of Mr.

Mendez. It appears Officer Stanitis is striking Mr. Mendez and appears to be striking him with the end of an object, although contact cannot be seen. (residential video 316 Colorado Avenue)

At 22:31:06 Officer Stanitis stands up and briefly looks in the direction of Lieutenant Sapiro momentarily and again goes down in a kneeling posture between Officer Silva to his right and Officer Hernandez to his left. (residential video 316 Colorado Avenue)

At 22:31:07 Officer Stanitis rapidly moves his right arm again several more times towards the head area of Mr. Mendez appearing to strike Mr. Mendez and appears to be striking him with an object, although contact cannot be seen. (residential video 316 Colorado Avenue)

At 22:31:09 Officer Stanitis stands and walks away from his kneeling position and replaces the item onto his duty belt on the left side of his body with his left hand and appears to secure the item. (residential video 316 Colorado Avenue)

At 22:31:21 Officer Stanitis turns back towards the Officers struggling with Mr. Mendez and looks at his right hand then stretches his thumb out twice and rubs his right hand on his pant leg as if he has injured it. (residential video 316 Colorado Avenue)

At 22:31:33 hours it appears Sergeant Scillia thrusts forward with a left-handed punch and a right legged stomp striking Mr. Mendez while he is handcuffed lying on the ground. Sergeant Scillia then reaches down and grabs Mr. Mendez with both hands and picks Mr. Mendez up off the ground with the aid of Officer Szeps bringing Mr. Mendez to his feet. Sergeant Scillia is then seen pointing and appears to be giving direction to Officers who are still circled around Mr. Mendez. Mr. Mendez is then walked away in handcuffs by Officer Szeps and Officer Silva. (residential video 316 Colorado Avenue)

At 22:34:13 hours Sergeant Paul Scillia (CPS) transmitted to dispatch advising, "this thing over here is calming and we are restoring order, numerous parties are in handcuffs, slow any other vehicles coming here including Fairfield, disregard Fairfield, tell them thank you, we're good." (Bridgeport Police Dispatch recordings Ch 1)

At 22:35 hours Officer Daniel Faroni places Mr. Peter Diaz to his patrol car and places Mr. Diaz's wheel chair in the trunk of the patrol car. (residential video 319 Colorado Avenue)

At 22:36 hours Officer Daniel Faroni transmitted to dispatch he is transporting one, (Mr. Peter Diaz), for Blue 12 (Officer Michael Mazzacco), from 316 Colorado Avenue to booking. As Officer Faroni drives away the wheel chair falls out of the trunk onto the street. Officer Faroni continues driving to booking leaving the wheel chair behind in the middle of the street. (dispatch recordings Ch 1)

At 22:36 hours Officer Stephen Silva (Amber 27) transmitted to dispatch he was transporting one, adult male, (Mr. Carmelo Mendez), to booking from 316 Colorado Avenue. (Bridgeport Police Dispatch recordings Ch 1)

At 22:39:40 hours Mr. Jose Rosario a party goer drives down Colorado Avenue in the direction of Officer Joseph Pires and other Officers who are still at 316 Colorado Avenue. Residential video obtained from 316 Colorado Avenue shows Officer Pires standing in the driveway portion of 316 Colorado Avenue as Mr. Jose Rosario drives by in his truck. Officer Pires documented in his report he had to move quickly out of the way of the vehicle in order to avoid being struck as did multiple other officers. The video obtained shows Officer Pires did not have to move quickly out of the way of the vehicle in order to avoid being struck by Mr. Rosario. (residential video 316 Colorado Avenue) Mr. Jose Rosario was subsequently arrested with the use of force by Officer Pires which he allegedly documented after the event in a use of

force report (dated 10/21/17 by Officer Pires and received and signed by Sergeant Delgado 10/31/17, ten days after the event). Mr. Rosario is placed in the patrol vehicle of Officer Matthew Johnson and transported to booking. (Bridgeport Police Reports)

At 22:40 hours Officer Daniel Faroni transmitted to dispatch he had arrived at booking, with one (Mr. Peter Diaz). (Bridgeport Police Dispatch recordings Ch 1)

At 22:41:44 hours Officer Daniel Faroni with the aid of an assisting Officer from the Stratford Police Department remove Mr. Peter Diaz from Officer Faroni's patrol vehicle and drag Mr. Diaz up the booking driveway. They continued to drag Mr. Diaz on the booking ramp sidewalk to the entry door of the booking area. Note: Mr. Peter Diaz at this time would have needed his wheel chair, which was left at the scene after falling out of Officer Faroni's trunk. (Sally Port Ramp camera, Department recordings)

At 22:41:59 hours Booking Sergeant Mark Belinkie is present observing Officers drag Mr. Diaz up the booking driveway and sidewalk leading to the booking area entry door. The Officers stop while Mr. Diaz is lying on the ground handcuffed without the aid of his wheel chair. (Sally Port Ramp camera, Department recordings)

At 22:43:36 hours Officer Daniel Faroni with the aid of an assisting Officer from the Stratford Police Department drag Mr. Diaz into the doorway of the Sally Port area of Booking. Mr. Diaz is handcuffed, he is laid on the floor and on the first step of the stairwell with his shirt over his head and with the skin of his back and buttocks exposed. (Sally Port camera, Department recordings)

At 22:44:05 hours Officer Daniel Faroni and Detection Officer Paul Humphrey grab Mr. Diaz under the arms and walk him up the stairs to the booking area. Mr. Diaz then hops on one leg while Officer Faroni brings him to the Booking desk to begin processing Mr. Diaz. (Sally Port camera and Booking desk behind camera, Department recordings)

At 22:48:19 hours Officer Stephen Silva enters the sally port area of Booking with Mr. Carmelo Mendez. Mr. Mendez has visible circular bruising and swelling to the left temple area of his face. Mr. Mendez is walked to the holding cell and placed in the holding cell handcuffed. (Sally Port camera, Booking Desk Side, and Holding cell front, Department recordings)

At 22:49:05 hours Officer Daniel Faroni is processing Mr. Diaz at the booking desk. Next to Mr. Diaz is Officer Thomas Lattanzio who is processing Mr. Jose Alvarado. Officer Lattanzio and Mr. Diaz are having words with each other and Officer Lattanzio pushes Mr. Diaz for getting to close to him. Mr. Diaz was handcuffed and standing with an injured leg when he was pushed. (Booking desk side camera, Department recordings)

At 22:51:44 hours Detention Officer Paul Humphrey has a verbal argument with Mr. Fernando Morales who is in the holding cell with Mr. Carmelo Mendez. Mr. Fernando Morales is yelling at Officer Humphrey, (Mr. Mendez is his brother). Officer Humphrey tells Mr. Morales he is not talking to him and "doesn't give a fuck." Mr. Morales calls Officer Humphrey a "faggot" and Officer Humphrey calls him an "ass hole." (Booking desk behind camera, Department recordings)

At 22:52:47 hours Officer Lattanzio and Mr. Diaz are having words again with each other and Officer Lattanzio pushes Mr. Diaz a second time for getting to close to him. Mr. Diaz is handcuffed and standing with an injured leg when pushed. Officer Daniel Faroni continues to process Mr. Diaz. (Booking desk side camera, Department recordings)

At 22:52:52 hours Officer Lattanzio and Mr. Diaz continue to have words with each other and Officer Lattanzio pushes Mr. Diaz a third time for getting too close to him. Mr. Diaz is handcuffed and standing with an injured leg and Officer Daniel Faroni continues to process him. (Booking desk side camera, Department recordings)

At 22:53:04 hours Officer Lattanzio and Mr. Diaz are having words with each other as Officer Daniel Faroni continues to process Mr. Diaz, and Mr. Diaz spits in the face of Officer Lattanzio. Officer Lattanzio punches Mr. Diaz in the face, Mr. Diaz is handcuffed and standing with an injured leg when he is punched. Mr. Diaz falls to the ground unaided and is later placed in holding cell number seven. (Booking desk side and money counter camera, Department recordings)

At 23:00:50 hours Sergeant Paul Scillia and Officer Douglas Bepko are in the Report Writing Area of booking speaking with each other amongst other Officers (no audio in this area of booking). Officer Douglas Bepko with his right hand drags his right index finger across his forehead from left to right and appears to be describing the injuries on the forehead of Mr. Carmelo Mendez to Sergeant Scillia. Officer Douglas Bepko then makes a circle with his right thumb and index finger and pats his right temple area once and appears to be describing the injuries sustained by Mr. Carmelo Mendez. (Report Writing Area, Department recordings)

At 23:01:16 hours Officer Douglas Bepko while speaking with Sergeant Paul Scillia (no audio in this area of booking) again makes a circle with his right thumb and index finger and pats his right temple area six times in slightly different locations and appears to be describing the injuries sustained by Mr. Carmelo Mendez. (Report Writing Area, Department recordings)

At 23:19:35 hours Lieutenant Robert Sapiro is speaking with Sergeant Ivan Delgado in the presence of Officer Douglas Bepko as Sergeant Ivan Delgado points to his tooth/mouth while standing in the Photo Area of Booking. Lieutenant Sapiro while speaking to Sergeant Ivan Delgado and Officer Douglas Bepko (no audio in this area of booking) appears to demonstrate the act of punching something, by motioning with his right hand in a fist and throwing three downward punches while laughing, Sergeant Ivan Delgado puts his head down and walks forward and Lieutenant Sapiro walks away.

At 23:31:00 hour Mr. Carmelo Mendez collapses to the floor in the holding cell while handcuffed. Sergeant Scillia instructs Mr. Fernando Morales who he is monitoring, in the booking area, move over here pal, (moving him away from the holding cell), stay right there, don't move, Mr. Fernando Morales asks, if that was necessary, Sergeant Scillia states, yes it was stay there and shut up. Sergeant Paul Scillia, Detention Officer Sylvia Firpi and two medics enter the holding cell and begin tending to Mr. Carmelo Mendez after his collapse.

At 23:35:16 hour Mr. Carmelo Mendez is taken out of booking in a medical wheel chair by the medics. Swelling and injury can be seen on the forehead of Mr. Mendez. (Booking Desk Side, Department recordings)

At 23:52:44 hours Sergeant Paul Scillia, Officer Mario Pecirep and Detention Officer Jose Figueroa in addition to medics 5 - Sec. 1-210(b)(3)A and 5 - Sec. 1-210(b)(3)A begin to prepare Mr. Diaz for transport from his holding cell number 7. (PD3-7 Male 7 camera, Department recordings)

At 23:53:13 hours Mr. Diaz is handcuffed and wrapped in sheet, seated in the medical wheel chair and belted into the wheel chair by AMR medics 5 - Sec. 1-210(b)(3)A and 5 - Sec. 1-210(b)(3)A to ready him for transport to the hospital. Sergeant Paul Scillia, Officer Mario Pecirep and Detention Officer Jose

Figueroa are all present during this prep work performed by the medics. (PD3-7 Male 7 camera, Department recordings)

At 23:53:40 hours Detention Officer Jose Figueroa attempts to secure Mr. Diaz with ankle shackles while in the medical wheel chair. According to Detention Figueroa, Mr. Diaz makes a negative statement about the wife of Detention Officer Jose Figueroa. Officer Figueroa becomes angry and pokes Mr. Diaz in the chest with his right index finger and tells him to "shut the fuck up." (Page 8, line 340-356), (PD3-7 Male 7, Male 6 camera, Department recordings)

At 23:53:46 hours Sergeant Paul Scillia hearing and seeing the negative exchange between Detention Officer Jose Figueroa and Mr. Diaz reaches down and grabs a secondary restraint belt attached to the medical wheel chair, Mr. Diaz is already secured in. Sergeant Scillia after grabbing the loose restraint fastens the belt and with two hands pulls the belt strap tight in an upward motion striking Mr. Diaz in the face with his hands while firmly holding onto the restraint belt. Officer Mario Pecirep and AMR medics 5 - Sec. 1-210(b)(3)A and 5 - Sec. 1-210(b)(3)A are present. (PD3-7 Male 7, Male 6 camera, Department recordings)

At 23:53:59 hours Sergeant Paul Scillia then walks in front of Mr. Diaz who is confined in the medical wheel chair and hits the injured leg of Mr. Diaz. Sergeant Paul Scillia using his right leg in a sweeping motion while passing in front of Mr. Diaz contacts the injured leg. (PD3-7 Male 7, Male 6 camera, Department recordings)

At 23:55:16 hours Sergeant Paul Scillia is escorting Mr. Diaz in the process of being wheeled out of booking for transport to the hospital with the medics. Sergeant Scillia begins to speak in a condescending tone addressing Mr. Diaz by voicing the following: Okay guys, have fun with him, have fun sir, hope you feel better, I hope you feel better pal, see you later buddy. (Booking Desk Behind camera, Department recordings)

At 23:55:32 hours Sergeant Paul Scillia, after Mr. Diaz has left the booking area with the medics begins to explain to Detention Officer Jose Figueroa and Detention Officer Sylvia Firpi how he hit Mr. Diaz, Sergeant Scillia acknowledges the following: "My hand slipped and hit him in the face by accident, when I was putting the seat belt on, so you know", (*Sergeant Scillia pats Detention Officer Jose Figueroa on the back*). Sergeant Scillia further states, "then I tripped, and my fucking foot tripped right into his bad ankle, I didn't mean to, it was very tight, they get under your skin." (Booking Desk Behind camera, Department recordings)

1. Sergeant Paul Scillia: Issue # 1 Use of Force:

1

Sergeant Paul Scillia stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out by an Officer on scene who needed help. The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Sergeant Paul Scillia was reasonable and based on the facts known to Sergeant Paul Scillia at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

The force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

Sergeant Scillia said the only contact he had with the Carmelo Mendez, the gentleman with the gun, he thought, was when the suspect was shoved into him initially. Sergeant Scillia said he attempted to hook his arm around the suspect to pull him up and the suspect was heavier than he thought. The suspect kind of, like either, threw him off balance or he started falling down with the suspect and other Officers saw this, Officer Szeps was one of them. The other Officers helped pick the suspect up on his feet and another Officer or two walked down the driveway with suspect. Sergeant Scillia said this was the only contact he had with the suspect. (Part one, Page 6, line 256-262)

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense.

A determination must also be made as to whether the force used complied with the requirements of Graham v. Connor as to be objectively reasonable. First, how serious was the offense that the officer suspected at the time the officer used force? Sergeant Scillia was asked in his statement if he used any force on Mr. Mendez and he said, "I do not recall, no". He was asked if he saw anyone strike Mr. Mendez with baton or asp he said, no. He was asked if he struck Mr. Mendez in any way with a boot, a fist, hands, knees, elbows, any object prior to him being handcuffed he said, no. Sergeant Scillia was asked if he struck Mr. Mendez after Mr. Mendez was handcuffed he said, no. Sergeant Scillia said he was not sure of who actually cuffed Mr. Mendez.

Based on the video (View/camera ch06, segment 222942-224634) At 10:29:57 PM Sergeant Scillia with his right hand appears to punch Mr. Mendez while he is on the ground, at this point in the video it appears Mr. Mendez is not yet handcuffed and at 10:29:58 PM Sergeant Scillia appears to kick or stomp on Mr.

Mendez using his right leg. Sergeant Scillia then steps into the group of Officers who have circled Mr. Mendez, attempting to take control of Mr. Mendez while he is on the ground. Sergeant Scillia maintains this position observing Officers during the arrest of Mr. Mendez to its conclusion, (View/camera ch06, segment 222942-224634). At 10:30:30 PM it appears Officer Szeps has completed handcuffing Mr. Mendez. Officer Szeps stands up to the left of Sergeant Scillia. Sergeant Scillia touches Officer Szeps on the left shoulder and appears to instruct other Officers circled around Mr. Mendez that appeared to be handcuffed, to pick Mr. Mendez up by motioning with his left hand, thumbs up. Other Officers involved begin to stand up and back away from Mr. Mendez who is lying on the ground and believed to be handcuffed at this point. (View/camera ch06, segment 222942-224634) At 10:30:33 PM it appears Sergeant Scillia thrusts forward with a left-handed punch and a right legged stomp striking Mr. Mendez while he is handcuffed and lying on the ground. (View/camera ch06, segment 222942-224634) At 10:30:40 PM Sergeant Scillia reaches down and grabs Mr. Mendez with both hands and picks Mr. Mendez up off the ground and is aided by Officer Szeps to bring Mr. Mendez to his feet. Sergeant Scillia is then seen pointing and appears to give direction to Officers who are still circled around Mr. Mendez. Mr. Mendez is then walked away in handcuffs by Officer Szeps and Officer Silva.

Second, did the suspect pose a threat to the officer or any other person present. Sergeant Scillia conveyed he could see the suspect's legs flapping up and down; this was the only thing that was really visible to him of the suspect. Sergeant Scillia heard Officers and felt it was a "ruckus", he could not pinpoint in particular what every Officer was saying by any means or who was on top of the suspect. Sergeant Scillia knew there were a lot of bodies on the suspect trying to get his hands and then he heard somebody yell, "Gun, gun, gun." Sergeant Scillia walked around to the side of the pile because he just did not know where to put himself. He explained, when you hear "that" (Gun, gun, gun), you just don't know what to do with yourself. Sergeant Scillia stated he was not really actively trying because there was no room for him to try and help.

According to the video, there were numerous officers on top of Mr. Mendez restraining him and the firearm on Mr. Mendez was removed within seconds.

Sergeant Scillia heard somebody say, "I got the gun, I got the gun" shortly after hearing "I got the gun, I got the gun" the suspect was handcuffed and everybody kind of got off of the suspect (Mr. Carmelo Mendez). The suspect was laying there in handcuffs. At this time seen on video captured Sergeant Scillia lean towards Mr. Mendez, who was laying on the ground handcuffed, and apparently strike him with his right fist and then kick him twice before Mr. Mendez was picked up off the ground.

Third, was the suspect actively resisting or attempting to evade arrest by flight. In reference to the 3rd prong of Graham v. Connor based on all information reviewed by this investigator the suspect's actions were not of someone attempting to evade arrest. As Sergeant Scillia walked down the driveway, he heard somebody say "it" and thought it was Officer Szeps, "This guy got to go to jail." Sergeant Scillia looked, and guessed, Officer Szeps meant to get the suspect (Mr. Carmelo Mendez) and not let him be placed in handcuffs but to be grabbed from behind and for whatever reason the suspect kind of like stepped at Sergeant Scillia. Sergeant Scillia stated he did not think the suspect was pushed but it seemed like he was pushed. Sergeant Scillia did not recall if he made contact with the suspect at this point or not but then the suspect went to the ground and a bunch of other Officers got on top of the suspect. At this point Sergeant Scillia walked around to the rear of the pile where an officer was handcuffing Mr. Mendez.

In examining the incident and reviewing the video, taking into consideration if and when Mr. Mendez submitted or succumbed to the officer, this investigator has reviewed efforts made to temper the severity of the force response. Sergeant Scillia has proffered that he was not really actively trying because there

was no room for him to try and help. Video captured showed Sergeant Scillia strike Mr. Mr. Mendez while he laid on the ground handcuffed.

The Bridgeport Police Department Policy pertaining to the Use of force by a sworn police officer is identified as 3.7.1 Use of Force. Section 3.7.1 Use of force of the Bridgeport Police Department Policy and Procedures is provided in the opening of this report. In addition, this incident lies within the **Three Factors Rule**: As outlined by Graham v. Connor.

1. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be required.
2. Did the suspect pose a threat to the officer or any other person present?
3. Was the suspect actively resisting or attempting to evade arrest by flight.

Enclosed is the L.O.C.K.U.P. Police Department Training Arrest and Control Manuel. During the L.O.C.K.U.P. lessons students are advised of the deadly force area (Totality of the circumstances) Four targets if struck could be considered to be potentially lethal (Eyes, Throat, Side of Neck Vagus Nerve and Temple).

Exhibit #5a Authority is Case Law which consist of Graham v. Connor, Kingsley v. Hendrickson, Tennessee v. Garner and House Bill No. 7103 Public Act No. 15-4.

This office, as well as any reasonable person could logically conclude that Sergeant Paul Scillia was in violation of Department Policy 1.1.7.4 Use of force.

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), this particular video captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017. The views/cameras were named ch01, ch02, ch03, ch04, ch05, ch06 and ch07. The data captured by these cameras were stored in segments/files identified by time stamps in military time. The following is a summary of what was captured relative to the conduct of Sergeant Scillia.

(View/camera ch06, segment 221251-222942) At 10:29:32PM (time stamp on video) Sergeant Scillia is walking past a gate midway in the driveway and is present and in full view of Officer Szepts taking Mr. Mendez to the ground at 10:29:36PM (time stamp on video).

(View/camera ch06, segment 222942-224634) At 10:29:42PM (time stamp on video) Sergeant Scillia is present at the beginning and during the arrest of Mr. Mendez. Sergeant Scillia attempts to aid in the arrest of Mr. Mendez at 10:29:54PM, by what appears to be placing his hands on Mr. Mendez or an Officer in front of him who is moving around, in an attempt gain control.

(View/camera ch06, segment 222942-224634) At 10:29:57 Sergeant Scillia with his right hand appears to punch Mr. Mendez while he is on the ground, at this point in the video it appears Mr. Mendez is not yet handcuffed because there is still a group of officers around Mr. Mendez.

(View/camera ch06, segment 222942-224634) At 10:29:58 Sergeant Scillia appears to kick or stomp on Mr. Mendez using his right leg. Sergeant Scillia then steps into the group of Officers who have circled Mr. Mendez, attempting to take control of Mr. Mendez while he is on the ground. Sergeant Scillia maintains this position observing Officers during the arrest Mr. Mendez to its conclusion.

(View/camera ch06, segment 222942-224634) At 10:30:30PM it appears Officer Szeps has completed handcuffing Mr. Mendez. Officer Szeps stands up to the left of Sergeant Scillia. Sergeant Scillia touches Officer Szeps on the left shoulder and appears to instruct other Officers circled around Mr. Mendez that appeared to be handcuffed, to pick Mr. Mendez up by motioning with his left hand, thumbs up. Other Officers involved begin to stand up and back away from Mr. Mendez who is lying on the ground and believed to be handcuffed at this point.

(View/camera ch06, segment 222942-224634) At 10:30:33PM it appears Sergeant Scillia thrusts forward with a left-handed punch and a right legged stomp striking Mr. Mendez while he is handcuffed and lying on the ground.

(View/camera ch06, segment 222942-224634) At 10:30:40PM Sergeant Scillia reaches down and grabs Mr. Mendez with both hands and picks Mr. Mendez up off the ground and is aided by Officer Szeps to bring Mr. Mendez to his feet. Sergeant Scillia is then seen pointing and appears to give direction to Officers who are still circled around Mr. Mendez. Mr. Mendez is then walked away in handcuffs by Officer Szeps and Officer Silva.

Citizen Complaint Form:

On October 23, 2017 Mr. Carmelo Mendez lodged a citizen's complaint with the Office of Internal Affairs against unknown members of the Bridgeport Police department. Mr. Mendez described one of the officers as a White male, bald and tall. He also described the second officer as a white male with a mohawk and the third officer as a White male with the name Stern on his name tag. The complaint was relative to an incident that occurred on October 21, 2017, in which Mr. Mendez alleges was beaten up and arrested.

In his complaint, Mr. Mendez stated that's when a whole bunch of other Officers started punching him in the face and kicking him. Mr. Mendez stated while he was on floor, he said, [REDACTED] 2 - CGS Sec. 29-28(d) and they started punching him harder. Mr. Mendez stated they were punching him before and after he said he had a gun permit. [REDACTED] 2 - CGS Sec. 29-28(d) one of the Officers said, "We don't give a fuck, shut up." Mr. Mendez stated he kept saying, "They're punching me. They're punching me in the face. They're punching me and they're kicking me." Mr. Mendez stated they just continued to punch him and kick him.

Mr. Mendez stated he then saw two of the Officers, one that was behind him, put his knees on his back near his neck. He had something shiny on his knuckles and he kept punching him in the face and then he got up. Mr. Mendez stated there was a sergeant walking by and he yelled "Oh, they're still punching me, they're still punching me."

Mr. Mendez stated when the Officers were lifting him up, an Officer who had something shiny in his hands, not sure if it was handcuffs or brass knuckles punched him two times on the face and threw him back down on the floor. Mr. Mendez stated the Officers then picked him up and took him to the Police car.

Mr. Mendez taped signed and sworn statement:

Mr. Mendez stated that is when a whole bunch of other Officers started punching him in the face and kicking him. Mr. Mendez stated while he was on floor, he said, [REDACTED] 2 - CGS Sec. 29-28(d) Page 2, line 78 and they started punching him harder. Mr. Mendez stated they were punching him before and after he said he had a gun permit. [REDACTED] 2 - CGS Sec. 29-28(d) one of the Officers said, "We don't give a fuck, shut up." Page 2, line 80-81 Mr. Mendez stated he kept saying, "They're punching me. They're punching me in the face. They're punching me and they're kicking me." Page 2, line 82-83 Mr. Mendez stated they just continued to punch him and kick him.

Mr. Mendez stated he then saw two of the Officers, one that was behind him, put his knees on his back near his neck. He had something shiny on his knuckles and he kept punching him in the face and then he got up. Mr. Mendez stated there was a sergeant walking by and he yelled "Oh, they're still punching me, they're still punching me." Page 2, line 89-90

Mr. Mendez stated when the Officers were lifting him up, an Officer who had something shiny in his hands, not sure if it was handcuffs or brass knuckles punched him two times on the face and threw him back down on the floor. Mr. Mendez stated the Officers then picked him up and took him to the Police car.

Mr. Mendez's Narrated Video:

Mr. Mendez also provided a narrated portion of the above incident to further corroborate the actions of the Bridgeport Police Officers involved and in particular the actions of officer Stanitis and Sergeant Scillia. (*Exhibit Book # 4, Digital media, video file # 28, video assembled from collected videos*)

Mr. Mendez narrates the actions of the Bridgeport Police Department members while playing the video. As Mr. Mendez is on the ground surrounded by Bridgeport Police Officers he states in his narration "See they are all hitting me, look, and kicking me." Also, there is an unidentified female voice in the narration stating "uhm, yeah." (#28. 316 Colorado Avenue video clips, time 00:20 -01:23)

As Officer Stanitis approaches the officers dealing with Mr. Mendez on the ground Mr. Mendez narrates, "watch this guy, him right here, el (him) tall one look, he put something on his hand and look he starts hitting me in the face, see look, see." Unidentified female "uhm" Mr. Mendez continues 'y mira (and look). Mr. Mendez's pointer finger comes into the video screen and points directly at Officer Stanitis who is knelt down in between other officers and continues to narrate stating, "him right here, he's gonna put something in his pocket, back pocket, see" unidentified female "yeah." Mr. Mendez continues, "back pocket." Unidentified female "I think he hits you with the handcuffs, porque (because) that's where they got the, that's what where they got the handcuffs in that side." Mr. Mendez continues to narrate stating "Okay, so that's what he hit me with then." Infant screams in the background. (#28. 316 Colorado Avenue video clips, time 00:20 -01:23)

As the officers around Mr. Mendez, who is still on the ground back off Mr. Mendez, Sergeant Scillia moves in closer to Mr. Diaz and thrust forward toward Mr. Diaz twice and Mr. Mendez continues to narrate stating, "Look and this guy punches me again twice." Sergeant Scillia then again bends down toward Mr. Mendez who appears to be handcuffed and is still on the ground and appears to thrust forward again two more times and Mr. Mendez narrates stating "and again.... see." Mr. Mendez is then picked up

off the ground by Sergeant Scillia and officer Szeps and is walked out of the driveway by officer Adam Szeps and Steven Silva. Mr. Mendez then narrates stating "Amazing." (#28. 316 Colorado Avenue video clips, time 00:20 -01:23)

The evidence and testimony support violations of the Bridgeport Police Department Rules and Regulations brought forward by this undersigned investigator, but most conclusively *1.1.7.4 Use of Force, 3.7.1 Use of Force*. The evidence and testimony support violations of the Bridgeport Police Department Rules and Regulations brought forward by this undersigned investigator, but most conclusively *1.3.38 (Truthfulness)*.

Based on the Citizen Complaint form filed by Mr. Mendez, the taped signed and sworn statement provided by Mr. Mendez, and the Narrated Video provided by Mr. Mendez and all of the other video captured from 316 Colorado Avenue the undersigned Sergeant finds Mr. Mendez, along with all the evidence to be credible.

Having determined that Sergeant Scillia violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of Department Rules 1.1.6 Appendix A-Oath of Office, 1.1.7. Law Enforcement Code of Ethics, 1.17.1 Primary Responsibilities of a Police Officer, 1.1.7.2 Performance of the duties of a Police Officer, 1.1.7.4 Use of Force, 1.1.7.6 Integrity, 1.2.18, Authority and Responsibility, 1.2.21 Supervisor Accountability, 1.3.3.5 Supervising Officer, 1.3.12 Incompetence, 1.3.21 Unbecoming Conduct, 1.3.29 Public Contact, 1.3.34 Departmental Reports / Official Correspondence, 1.3.38, Truthfulness 3.7.1 Use of Force, 3.7.1.1 Definitions, 3.7.1.17 Situations requiring a Use of Force Report, 3.7.3 Prisoner Transportation, 3.8.2 Policy Holding Facility, 1.3.5 Violation of rules, 1.3.6 Conformance to Rules/Regulations.

OIA Conclusion

The purpose of this interview was to determine whether the conduct of Sergeant Paul Scillia was appropriate under the Policies of Bridgeport Police Department. The use of force used by the Sergeant Paul Scillia was excessive, unnecessary and unreasonable based on the facts and circumstances gathered from statements provided to the Office of Internal Affairs coupled with information obtained during this investigation and video evidence which was collected throughout the development of this investigation.

Bridgeport Police Policy 2.7.5.1 **Defines** "Corruption/Serious Misconduct:" Criminal activity or serious misconduct of any kind including the unjustified use of excessive force or perjury that is committed by a member of the service whether on or off-duty.

Bridgeport Police Policy 3.7.1 "Use of Force" **states:** Police officers shall use only that force that appears reasonably necessary to effectively bring an incident under control while protecting the lives of the officers or another as per CGS 53a-22. Law permits the use of force under certain conditions, and a police officer is authorized to exercise force in those circumstances. The unnecessary use of force is contrary to law and places the Department in a position of civil liability and places the officer in a position of civil and criminal liability; therefore, the unnecessary use of force is prohibited. Members of BPD are strictly prohibited from the use of excessive physical force against any individuals engaged in non-violent civil rights demonstrations. Police officers are entitled to enter the Continuum at that level that they reasonably believe is necessary to control the situation and accomplish their lawful purpose. Police officers are required to de-escalate within the continuum when they reasonably believe control may be maintained and their lawful purpose is accomplished by such a lesser degree of force. However, police officers are never required to place themselves or third persons in a situation that exposes them to an unreasonable risk of danger or injury.

Bridgeport Police Policy 3.7.1.2 **Defines** "Reasonable Non-Deadly Force: An officer is justified in using reasonable non-deadly force on another person when and to the extent the officer reasonably believes it is necessary to: 1) Effect an arrest or prevent an escape from custody of a person whom the officer reasonably believes to have committed an offense, unless the officer knows that the arrest or custody is unauthorized. 2) Defend himself or a third party from the use or imminent use of physical force while effecting or attempting to affect an arrest or while preventing or attempting to prevent escape (CGS 53a-22). 3) To thwart the acts of another who the officer reasonably believes is about to commit suicide or to inflict serious physical injury upon himself (CGS 53a-22).

An inherent responsibility of a police officer is to take action based on facts and circumstances then known to that officer at the time of incident and, to promote public safety and wellbeing for all concerned. Police Officers are trained and furthermore, conduct themselves in light of those reasonable responsibilities, within the confines of the law, on a daily if not minute by minute basis. Officers are not expected, nor is it reasonable to request that their actions be perfect in hind sight. Rather, they must make their decisions based on the facts as they existed, or as they believed existed at the time a decision is made. A test to evaluate the reasonableness is objective in nature and is based upon what a reasonable, well trained police officer would believe to be true from the prudent and cautious standpoint of the skilled and experienced officer at the scene.

Sergeant Paul Scillia in this case engaged in conduct that did not in line itself with acceptable police practices and procedures, in light of the facts known to him, in relation to the events which formed the basis for this investigation. His conduct in and method of interceding in the perceived threat of Mr. Mendez while at 316 Colorado Avenue was not consistent with the standards of police behavior reasonably expected under the circumstances.

After reviewing all statements, investigative reports, documents available, coupled with the information provided by video evidence, the undersigned Sergeant concludes that there is substantial evidence to support the position to an objectively reasonable person Sergeant Paul Scillia did not conducted himself properly with respect to his use of Reasonable Non-Deadly Force. The force used by Sergeant Paul Scillia was excessive, unnecessary and unreasonable in relation to Mr. Mendez. Sergeant Scillia actions are extraordinarily inconsistent with generally accepted police practices and procedures, as well as existing law and regulations. Due to the perceived danger of officers and Sergeant Paul Scillia, Sergeant Paul Scillia use of Reasonable Non-Deadly Force was unjustified and not consistent with the Bridgeport Police Policy and Procedures.

Sergeant Paul Scillia is authorized to use force and is responsible for the extent to which he exercises it thus making him solely responsible for his own actions and that of his subordinates under his immediate direction. Based on the statement of Sergeant Paul Scillia coupled with the facts and circumstances revealed and obtained during the course of this investigation, it is the determination of this office that the preponderance of evidence has been substantiated to conclude that Sergeant Paul Scillia undoubtedly violated the following Bridgeport Police Policy and Procedures/Rules and Regulations:

1.1.7.4 USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from apply the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

2. Sergeant Paul Scillia

Issue # 2 Truthfulness:

The integrity of police service is based on truthfulness. Member shall be honest and forthright when questioned by a superior officer. No member shall knowingly or willfully depart from the truth in giving testimony, or in creating a written report, affidavit, or statement about any action or inactions that relates to the member's employment with the Bridgeport Police Department.

This requirement to be honest and forthright and not knowingly or willfully departing from the truth applies to all communications: in person, verbal, written, telephonic, electronic or via radio.

Any sworn member of the Bridgeport Police Department may be ordered by the Chief of Police and or his or her designee to respond fully and truthfully to questions about any action taken that relates to the member's employment or position as it pertains to an internal or administrative investigation.

Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut. **1.3.38 TRUTHFULNESS**

Application of Standards:

As for the sustained violation policy of truthfulness levied against Sergeant Paul Scillia in his sworn statement to this investigator Sergeant Scillia stated the following. That Sergeant Scillia was asked in his statement if he used any force on Mr. Mendez and he said he did not recall, no. He was asked if he saw anyone strike Mr. Mendez with baton or asp he said, no. He was asked if he struck Mr. Mendez in any way with a boot, a fist, hands, knees, elbows, any object prior to him being handcuffed he said, no. Sergeant Scillia was asked if he struck Mr. Mendez after Mr. Mendez was handcuffed he said, no. Sergeant Scillia said he was not sure of who actually cuffed Mr. Mendez. Sergeant Scillia also did not document in any of his authored reports that he used any type of force on Mr. Mendez.

Summary of Surveillance Videos Relative to Officer Scillia's Actions

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were several inconsistencies that were discovered relative the statement provided by Sergeant Scillia.

(View/camera ch06, segment 222942-224634) At 10:29:57 Sergeant Scillia with his right hand appears to punch Mr. Mendez while he is on the ground, at this point in the video it is believed Mr. Mendez is not yet handcuffed.

(View/camera ch06, segment 222942-224634) At 10:29:58 Sergeant Scillia appears to kick or stomp on Mr. Mendez using his right leg. Sergeant Scillia then steps into the group of Officers who have circled Mr. Mendez, attempting to take control of Mr. Mendez while he is on the ground. (View/camera ch06, segment 222942-224634) At 10:30:33PM it appears Sergeant Scillia thrusts forward with a left-handed punch and a right legged stomp striking Mr. Mendez while he is handcuffed and lying on the ground. Sergeant Scillia maintains this position observing Officers during the arrest Mr. Mendez to its conclusion.

Sergeant Scillia was specifically asked did he strike Mr. Carmelo Mendez, and he stated "no." *Part one Page 10, Line 435-437.* Sergeant Scillia was specifically asked did he strike Mr. Carmelo Mendez after he was handcuffed, and he stated "no." *Part one Page 10, Line 443-445.* Sergeant Scillia was specifically

asked did he strike Mr. Mendez in any way with a boot, a fist, hands, knees, elbows, any object prior to him being handcuffed, and Sergeant Scillia stated "no" Part one, Page 12-13, line 538-541

Although Sergeant Scillia stated in his statement that the only contact he had with Mr. Mendez was hooking his arm around Mr. Mendez to pull him up. Part one Page 6, line 257. In the video narrated by and provided by Mr. Mendez, Mr. Mendez clearly describes the actions of Sergeant Scillia showing exactly when Sergeant Scillia apparently applying force outside of acceptable reasonable practices as outlined by the Bridgeport Police Department Policy and Procedures Handbook on several occasions debunking Sergeant Scillia's statement that he was just observing the arrest of Mr. Mendez's.

Conclusion:

Sergeant Scillia, trusted by the Department and community was less than credible in his testimony beginning with the initial investigation and statements. Compounded when compared with the evidence produced by the video and the statement of Mr. Mendez.

The evidence and testimony support violations of the Bridgeport Police Department Rules and Regulations brought forward by this undersigned investigator, but most conclusively 1.3.38 (*Truthfulness*).

Having determined that Sergeant Scillia violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of Department Rules 1.1.6 Appendix A-Oath of Office, 1.1.7. Law Enforcement Code of Ethics, 1.17.1 Primary Responsibilities of a Police Officer, 1.1.7.2 Performance of the duties of a Police Officer, 1.1.7.4 Use of Force, 1.1.7.6 Integrity, 1.2.18, Authority and Responsibility, 1.2.21 Supervisor Accountability, 1.3.3.5 Supervising Officer, 1.3.12 Incompetence, 1.3.21 Unbecoming Conduct, 1.3.29 Public Contact, 1.3.34 Departmental Reports / Official Correspondence, 1.3.38, Truthfulness 3.7.1 Use of Force, 3.7.1.1 Definitions, 3.7.1.17 Situations requiring a Use of Force Report, 3.7.3 Prisoner Transportation, 3.8.2 Policy Holding Facility, 1.3.5 Violation of rules, 1.3.6 Conformance to Rules/Regulations.

3. Sergeant Paul Scillia Issue # 3 Failure to supervise:

This issue presented to the Office of Internal affairs specifically concerning Sergeant Paul Scillia is whether Sergeant Scillia's duty to intervene was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

Law Enforcement Code of Ethics 1.1.7 All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing. Authority and Responsibility 1.2.18 Supervisors are given full authority to make decisions necessary for the effective execution of their responsibilities. It is also understood that all employees are accountable for the use of delegated authority as well as the failure to use it.

Supervisor Accountability 1.2.21 All supervisory personnel shall be held accountable for the performance of employees under their immediate control. Supervising Officer 1.3.3.5 A supervising officer is one who, through rank or appointment, is responsible for the actions of one or more subordinates. Supervising officers personally observe the work and actions of those subordinates for whom they are responsible and react accordingly to the needs of commendation, training or correction.

When interviewed by this investigator Sergeant Scillia was asked if he observed any officer strike Mr. Mendez while he was uncuffed or while handcuffed. Sergeant Scillia responded "no" Part one Page 10, line 439-441.

Sergeant Scillia stated during his interview, "all I remember is the guy going to the ground and officers piled on him and I couldn't get in there to help because there was no room, so I went back to where his feet were and didn't know what else to do other than keep security for the officers so nobody from the back came running in or one of his relatives showed up drunk trying to jump on the officers. Sergeant Scillia stated that's when I heard that gun - gun - gun. I got the gun," shortly thereafter. And officers got off him and he was just lying there." (Part one, Page 9, line 372-380)

Sergeant Scillia did not appear to attempt to separate Officers from Mr. Mendez, especially when Officer Stanitis knelt near Mr. Mendez's head, not once, but twice and appeared to be striking Mr. Mendez who received serious injury to his head nor did Sergeant Scillia inquire on how the injuries to Mr. Mendez's head were sustained. Sergeant Scillia was personally involved in the arrest of Mr. Mendez, through his own admission Sergeant Scillia indicated he was not able to get in to help in the incident because there was no room, so he went back to where his (Mr. Mendez's) feet were and didn't know what else to do.

Sergeant Scillia who assisted in picking up Mr. Mendez from the ground, when asked by this investigator, as he helped Mr. Mendez up, did he see if he had any injuries, and he stated "No" Part one, Page 13, line 580-583.

Sergeant Scillia was then asked by this investigator did he remember if Mr. Mendez had any injuries and Sergeant Scillia stated "I don't remember." Part one, Page 13-14, line 585-587.

Sergeant Scillia's is captured on video from 316 Colorado Avenue helping Mr. Mendez up of the ground standing on Mr. Mendez's left side, the same side Mr. Mendez received most of his injuries on the temple.

Sergeant Scillia was asked during his interview if he himself called for the medics and he stated "No." Sergeant Scillia was asked did he ask any of his officers if anyone needed medical attention and he stated "No." Part one, Page 18, line 796-802.

Sergeant Scillia stated when he walked on scene he asked officers if everyone okay but didn't ask if anyone needed medics because as far as the people being arrested they were already in cars and didn't seem like they needed the medics at the time because they were yelling a lot of profanity. However, Mr. Mendez who received the more severe injury was not in a car when Sergeant Scillia arrived on scene. In fact, Sergeant Scillia was present during the arrest of Mr. Mendez and assisted helping him up off the ground. Part one, Page 19, line 814-819

Sergeant Scillia was asked if he wrote any of what happened or what he observed at 316 Colorado Avenue and he stated "No." Part one, Page 19, line 821-824 Based on the video, the audio statements, Sergeant Scillia's not separating the Officers from Mr. Mendez, not inquiring how Mr. Mendez sustained his injuries and not offering medical attention to injured persons, in particular Mr. Mendez, he failed to supervise a scene of such magnitude.

Conclusion:

Based on all documentation, reports, video, and signed sworn statements Sergeant Scillia was a supervising authority for this occurrence. This investigator having found omissions, inaccuracies, and statements which were simply not true additionally substantiates the violations of Policy 1.3.3.5 Supervising Officer.

Having determined that Sergeant Scillia violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of Department Rules 1.1.6 Appendix A-Oath of Office, 1.1.7. Law Enforcement Code of Ethics, 1.17.1 Primary Responsibilities of a Police Officer, 1.1.7.2 Performance of the duties of a Police Officer, 1.1.7.4 Use of Force, 1.1.7.6 Integrity, 1.2.18, Authority and Responsibility, 1.2.21 Supervisor Accountability, 1.3.3.5 Supervising Officer, 1.3.12 Incompetence, 1.3.21 Unbecoming Conduct, 1.3.29 Public Contact, 1.3.34 Departmental Reports / Official Correspondence, 1.3.38, Truthfulness 3.7.1 Use of Force, 3.7.1.1 Definitions, 3.7.1.17 Situations requiring a Use of Force Report, 3.7.3 Prisoner Transportation, 3.8.2 Policy Holding Facility, 1.3.5 Violation of rules, 1.3.6 Conformance to Rules/Regulations.

The following violations of Policy and Procedure are sustained relative to Sergeant Scillia.

1.2.18 AUTHORITY AND RESPONSIBILITY

BPD is an organization with an assignment of responsibility and accountability throughout the rank structure. The organizational structure, set forth by the Board of Police Commissioners in the Table of Organization, establishes authority and responsibility for members to carry out their duties.

Supervisors are given full authority to make decisions necessary for the effective execution of their responsibilities. It is also understood that all employees are accountable for the use of delegated authority as well as the failure to use it.

1.2.21 SUPERVISOR ACCOUNTABILITY

All supervisory personnel shall be held accountable for the performance of employees under their immediate control.

1.3.3.5 SUPERVISING OFFICER

A supervising officer is one who, through rank or appointment, is responsible for the actions of one of more subordinates. Supervising officers personally observe the work and actions of those subordinates for whom they are responsible and react accordingly to the needs of commendation, training or correction.

4. Sergeant Paul Scillia: Booking Incident (Count #2) Issue # 2 Use of Force:

Sergeant Paul Scillia stated on October 21, 2017 after he cleared the scene at 316 Colorado Avenue, he responded to Booking to assist officers. Sergeant Scillia stated when he arrived he observed all the people that were arrested at 316 Colorado inside of Booking. Sergeant Scillia stated some of the arrested parties were in the cell and some standing out in front of the desk and it was chaotic for booking. Sergeant Scillia stated people were yelling and calling the officers names.

Sergeant Scillia stated at some point he went up into the male holding cells to assist Detention Officer Figueroa with an arrested person (Peter Diaz). Sergeant Scillia stated Mr. Diaz was giving Detention Officer Figueroa a hard time. Sergeant Scillia stated they were going to shackle Mr. Diaz's ankles, but one ankle could not be shackled because it was swollen. Sergeant Scillia stated he thought the medics strapped Mr. Diaz in a stair chair, but he observed one of the straps; the buckle was not attached because it was hanging. He saw it hanging and it was one that went across his chest and thought, that is not good. As soon as he saw it he addressed the issue and reattached it. Sergeant Scillia stated he went to snug it in, "to make sure he does not; there was no play, so it does not loosen up." In doing so unfortunately there was more give in the belt than he thought, he ended up going to snug it up and his hand made contact with his (Mr. Diaz) face.

Sergeant Scillia was asked if anything else happen other than the strap hitting his (Mr. Diaz) face by mistake or his hand. He said yes, he went to move around him and his feet brushed into his (Mr. Diaz) feet. Sergeant Scillia stated this was a mistake. He explained that in the block at cell seven, there is a hand railing for the walk down the ramp and so that no one falls over and down to the lower cell block area. Sergeant Scillia stated he wanted to move around Mr. Diaz and the medics and there was not a lot of space, and he ended up, brushing into his (Mr. Diaz) feet, with his (Sergeant Scillia) feet. Sergeant Scillia was asked if Mr. Diaz was being belligerent and uncooperative with him, he said yes, he was being belligerent.

The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Sergeant Paul Scillia was reasonable and based on the facts known to Sergeant Paul Scillia at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

This force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and

Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Sergeant Paul Scillia found himself on October 21, 2017 ultimately developed into a questionable scene. Incident was reported on the same night to the Office of Internal Affairs.

Sergeant Scillia articulates he struck Mr. Diaz in the face with a strap while attempting to secure Mr. Diaz in a stair chair. Sergeant Scillia also articulates he brushed Mr. Diaz feet with his own feet by mistake as he tried to get around in a tight area at cell #7. (Mr. Diaz had a broken left leg at the time).

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense.

Sergeant Scillia stated he observed one of the straps; the buckle was not attached because it was hanging. He saw it hanging and it was the strap that went across Mr. Diaz's chest. Sergeant Scillia stated as soon as he saw it he addressed the issue and reattached it. Sergeant Scillia stated as he snugged it in, to make sure there was no play and it does not loosen up. He stated in doing so unfortunately there was more give in the belt than he thought, and he ended up making contact with Mr. Diaz's face with his hand. Sergeant Scillia also stated he wanted to move around Mr. Diaz, there was not a lot of space, and as he went to move around him he ended up, brushing into Mr. Diaz's feet with his own feet.

Based on the video from behind the booking desk which has audio Sergeant Paul Scillia engaged in conduct that was not acceptable police practices and procedures. Sergeant Scillia then begins to justify his conduct with Mr. Diaz to Detention Officer Figueroa and Detention Officer Firpi by explaining what he had done while in the male cell block with Mr. Diaz. Sergeant Scillia states the following at 11:55:29: "Yeah, my hand slipped and hit him in the face by accident, when I was putting the seat belt on, so you know". Sergeant Scillia then pats Detention Officer Figueroa on the back. Sergeant Scillia then explains the following: "and I then tripped, and my foot tripped right into his bad ankle, I didn't mean to, it was very tight", Detention Officer Figueroa exhaled and Sergeant Scillia says to Detention Officer Figueroa, "they get under your skin".

Sergeant Scillia conveyed that Mr. Diaz was being belligerent and uncooperative with him. Sergeant Scillia stated he did not remember what Mr. Diaz was saying, he just knew he was not a very nice person. Sergeant Scillia was asked if Mr. Diaz upset him or if he was upset because of the way Mr. Diaz was acting he said no.

In the video footage captured of this incident, it does not appear as if the strap Sergeant Scillia attempted to tighten struck Mr. Diaz's face by mistake. It appears Sergeant Scillia deliberately struck Mr. Diaz in the face and used the strap tightening as an excuse to strike Mr. Diaz. Sergeant Scillia had a firm two hand grip on the strap. At no time in the captured video did the strap appears to slip from Sergeant Scillia's hands as he described. Sergeant Scillia also tightened the strap in an upward (vertical) motion toward Mr. Diaz's face, ultimately contacting the face of Mr. Diaz, rather than sideways (horizontal) across the body technic which appeared to be the proper way.

Sergeant Scillia has proffered that he did not deliberately strike Mr. Diaz in the face, he only tried to secure the strap the medics appeared to leave undone.

Also (View/camera PD1-6 BOOKING DESK BEHIND) at 11:55:31 Sergeant Scillia shuts the door behind Mr. Diaz as he leaves with the medics and is heard in what appears to be a sarcastic voice saying good bye to Mr. Diaz adding he hopes Mr. Diaz feels better and wishing the medics good luck with Mr. Diaz prior to shutting the door behind him.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Based on the Booking Videos obtained, this particular video captured several different views around the Booking Cell block, cell # 6 and #7 and front desk area during the incident on October 21, 2017.

Sergeant Scillia wrote in his authored report that on the above date, about 2330 hours he was assisting the Booking Staff with a belligerent Prisoner who was in Cell 7 who needed to go to the hospital due to a complaint of injuries. As the Medics were attempting to seat this Prisoner Diaz, Peter 3 - CGS Sec... in a Stair Chair one of his seat belts became unfastened. Seeing this he reattached the plastic buckle, but the belt was still loose. He tried to tighten up the belt across his body, so he wouldn't fall out of said chair once in motion. He used his right hand and as it was tightening the belt had more give than he thought, and his hand slipped causing the outside of his right hand to come in contact (bumping) into Diaz's chin area. No injury occurred. Diaz accused him of striking him. It was obviously him continuing to be belligerent.

Then the Medics began to move the chair in the tight area between Cell 7, and the ramp area, Diaz was in. Believing they were moving him one way, he began to step in another direction and his right foot accidentally made contact with his feet. Again, Diaz accused him of kicking him. Diaz then left for medical treatment."

Sergeant Scillia claimed both in his report and statement that he used his right hand and as it was tightening the belt had more give than he thought, and his hand slipped causing the outside of his right hand to come in contact (bumping) into Diaz's chin area. It is clearly shown on the video however, that it did not appear as if the strap Sergeant Scillia attempted to tighten struck Mr. Diaz's face by mistake. It appears Sergeant Scillia deliberately struck Mr. Diaz in the face and used the strap tightening as an excuse to strike Mr. Diaz.

Sergeant Scillia also claimed the Medics began to move the chair in the tight area between Cell 7, and the ramp area, Diaz was in. Believing they were moving him one way, he began to step in another direction and his right foot accidentally made contact with his feet. Note: The area Sergeant Scillia described as being "tight" is approximately in excess of seven feet of maneuverable space from the threshold of cell #7 to the ramp area.

In addition, (View/camera PD1-6 BOOKING DESK BEHIND) At 11:54:31 Mr. Diaz is wheeled into the booking area Sergeant Scillia, Officer Pecirep, Officer Manning and Detention Officer Figueroa and Firpi and the medics are present. At 11:55:15 Mr. Diaz is wheeled out of booking by the medics. As Mr. Diaz is wheeled out Sergeant Scillia begins to ridicule Mr. Diaz in a sarcastic tone with the following remarks: "Have fun sir, hope you feel better, I hope you feel better pal, see you later buddy."

(View/camera PD1-6 BOOKING DESK BEHIND) At 11:55:31 Sergeant Scillia shuts the door behind Mr. Diaz as he leaves with the medics. Sergeant Scillia then begins to justify his conduct with Mr. Diaz to Detention Officer Figueroa and Detention Officer Firpi by explaining what he had done while in the male cell block with Mr. Diaz. "Yeah, my hand slipped and hit him in the face by accident, when I was

putting the seat belt on, so you know". Sergeant Scillia then pats Detention Officer Figueroa on the back. Sergeant Scillia then explains the following: "and I then tripped, and my foot tripped right into his bad ankle, I didn't mean to, it was very tight", Detention Officer Figueroa exhaled and Sergeant Scillia says to Detention Officer Figueroa, "they get under your skin".

Sergeant Scillia was asked if he thought it was proper for him to wave goodbye to Mr. Diaz and to say he hoped he feels better and stuff like that. He said no he should have known better.

Based on documentation, reports, videos and statements obtained throughout the course of the investigation and after careful and thorough review, it is concluded that Sergeant Paul Scillia's conduct violated several Bridgeport Police Policy and Procedures / Rules and Regulations.

During Sergeant Scillia's encounter with Mr. Diaz Sergeant Scillia claimed both in his report and statement that he used his right hand to secure and tighten a strap on the stair chair. Sergeant Scillia stated as he was tightening the belt it had more give than he thought, and his hand slipped causing the outside of his right hand to come in contact (bumping) with Diaz's chin area. It is clearly shown on the video however, that it did not appear as if the strap Sergeant Scillia attempted to tighten struck Mr. Diaz's face by mistake. It appears Sergeant Scillia deliberately struck Mr. Diaz in the face and used the strap tightening as an excuse to strike Mr. Diaz.

In addition, (View/camera PD1-6 BOOKING DESK BEHIND) At 11:54:31 Mr. Diaz is wheeled into the booking area. Sergeant Scillia, Officer Pecirep, Officer Manning, Detention Officer Figueroa, Detention Officer Firpi and the medics were present. At 11:55:15 Mr. Diaz is wheeled out of booking by the medics. As Mr. Diaz is being wheeled out Sergeant Scillia begins to ridicule Mr. Diaz in a sarcastic tone with the following remarks: Have fun sir, hope you feel better, I hope you feel better pal, see you later buddy.

(View/camera PD1-6 BOOKING DESK BEHIND) At 11:55:31 Sergeant Scillia shuts the door behind Mr. Diaz as he leaves with the medics. Sergeant Scillia then begins to justify his conduct at cell 7 in reference to Mr. Diaz to Detention Officer Figueroa and Detention Officer Firpi by explaining what he had done while in the male cell block with Mr. Diaz. Sergeant Scillia states the following at 11:55:29: "Yeah, my hand slipped and hit him in the face by accident when I was putting the seat belt on, so you know". Sergeant Scillia then pats Detention Officer Figueroa on the back. Sergeant Scillia then explains the following: "and I then tripped, and my foot tripped right into his bad ankle, I didn't mean to, it was very tight", Detention Officer Figueroa exhaled and Sergeant Scillia says to Detention Officer Figueroa, "they get under your skin".

Sergeant Scillia was asked if he thought it was proper for him to wave goodbye to Mr. Diaz and to say he hoped he feels better and stuff like that. He said no he should have known better.

OIA Conclusion

The purpose of this interview was to determine whether the conduct of Sergeant Paul Scillia was appropriate under the Policies of Bridgeport Police Department. The use of force used by the Sergeant Paul Scillia was excessive, unnecessary and unreasonable based on the facts and circumstances gathered from statements provided to the Office of Internal Affairs coupled with information obtained during this investigation and video evidence which was collected throughout the development of this investigation.

Bridgeport Police Policy 2.7.5.1 **Defines** "Corruption/Serious Misconduct:" Criminal activity or serious misconduct of any kind including the unjustified use of excessive force or perjury that is committed by a member of the service whether on or off-duty.

Bridgeport Police Policy 3.7.1 "Use of Force" **states:** Police officers shall use only that force that appears reasonably necessary to effectively bring an incident under control while protecting the lives of the officers or another as per CGS 53a-22. Law permits the use of force under certain conditions, and a police officer is authorized to exercise force in those circumstances. The unnecessary use of force is contrary to law and places the Department in a position of civil liability and places the officer in a position of civil and criminal liability; therefore, the unnecessary use of force is prohibited. Members of BPD are strictly prohibited from the use of excessive physical force against any individuals engaged in non-violent civil rights demonstrations. Police officers are entitled to enter the Continuum at that level that they reasonably believe is necessary to control the situation and accomplish their lawful purpose. Police officers are required to de-escalate within the continuum when they reasonably believe control may be maintained and their lawful purpose is accomplished by such a lesser degree of force. However, police officers are never required to place themselves or third persons in a situation that exposes them to an unreasonable risk of danger or injury.

Bridgeport Police Policy 3.7.1.2 **Defines** "Reasonable Non-Deadly Force: An officer is justified in using reasonable non-deadly force on another person when and to the extent the officer reasonably believes it is necessary to: 1) Effect an arrest or prevent an escape from custody of a person whom the officer reasonably believes to have committed an offense, unless the officer knows that the arrest or custody is unauthorized. 2) Defend himself or a third party from the use or imminent use of physical force while effecting or attempting to affect an arrest or while preventing or attempting to prevent escape (CGS 53a-22). 3) To thwart the acts of another who the officer reasonably believes is about to commit suicide or to inflict serious physical injury upon himself (CGS 53a-22).

An inherent responsibility of a police officer is to take action based on facts and circumstances then known to that officer at the time of incident and, to promote public safety and wellbeing for all concerned. Police Officers are trained and furthermore, conduct themselves in light of those reasonable responsibilities, within the confines of the law, on a daily if not minute by minute basis. Officers are not expected, nor is it reasonable to request that their actions be perfect in hind sight. Rather, they must make their decisions based on the facts as they existed, or as they believed existed at the time a decision is made. A test to evaluate the reasonableness is objective in nature and is based upon what a reasonable, well trained police officer would believe to be true from the prudent and cautious standpoint of the skilled and experienced officer at the scene.

Sergeant Paul Scillia in this case engaged in conduct that did not in line itself with acceptable police practices and procedures, in light of the facts known to him, in relation to his conduct while in the booking aiding the medics with Mr. Peter Diaz.

After reviewing all statements, investigative reports, documents available, coupled with the information provided by video evidence, the undersigned Sergeant concludes that there is substantial evidence to support the position to an objectively reasonable person Sergeant Paul Scillia did not conducted himself properly with respect to his use of Reasonable Non-Deadly Force. The force used by Sergeant Paul Scillia was excessive, unnecessary and unreasonable in relation to Mr. Diaz. Sergeant Scillia actions are extraordinarily inconsistent with generally accepted police practices and procedures, as well as existing law and regulations. Due to the perceived danger of officers and Sergeant Paul Scillia, Sergeant Paul Scillia use of Reasonable Non-Deadly Force was unjustified and not consistent with the Bridgeport Police Policy and Procedures.

Sergeant Paul Scillia is authorized to use force and is responsible for the extent to which he exercises it

thus making him solely responsible for his own actions and that of his subordinates under his immediate direction. Based on the statement of Sergeant Paul Scillia coupled with the facts and circumstances revealed and obtained during the course of this investigation, it is the determination of this office that the preponderance of evidence has been substantiated to conclude that Sergeant Paul Scillia undoubtedly violated the following Bridgeport Police Policy and Procedures/Rules and Regulations:

1.1.7.4 USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from apply the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Sergeant Paul Scillia

1.1.6 Appendix A - Oath of Office

1.1.7. Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.2.18 Authority and Responsibility

1.2.21 Supervisor Accountability

1.3.3.5 Supervising Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.29 Public Contact

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1 Use of Force

3.7.1.1 Definitions

3.7.1.17 Situations requiring a Use of Force Report

3.7.3 Prisoner Transportation

3.8.2 Policy Holding Facility

1. Officer Michael Stanitis: Issue # 1 Use of Force:

2

Officer Michael Stanitis stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene needing help. The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Officer Michael Stanitis was reasonable and based on the facts known to Officer Michael Stanitis at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

This force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

The Bridgeport Police Department Policy pertaining to the Use of force by a sworn police officer is identified as 3.7.1 Use of Force. Section 3.7.1 Use of force of the Bridgeport Police Department Policy and Procedures is provided in the opening of this report. In addition, this incident lies within the **Three Factors Rule**: As outlined by Graham v. Connor.

1. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be required.
2. Did the suspect pose a threat to the officer or any other person present?
3. Was the suspect actively resisting or attempting to evade arrest by flight.

Enclosed is the L.O.C.K.U.P. Police Department Training Arrest and Control Manuel. During the L.O.C.K.U.P. lessons students are advised of the deadly force area (Totality of the circumstances) Four targets if struck could be considered to be potentially lethal (Eyes, Throat, Side of Neck Vagus Nerve and Temple).

Exhibit #5a Authority Case Law which consist of Graham v. Connor, Kingsley v. Hendrickson, Tennessee v. Garner and House Bill No. 7103 Public Act No. 15-4.

This office, as well as any reasonable person, based on Officer Stanitis' actions captured on video and he denying he was not able to reach Mr. Mendez during his arrest in his recorded statement, could logically conclude that officer Michael Stanitis was in violation of Department Policy 1.1.7.4 Use of force.

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Officer Stanitis is seen on video taking what appears to be an object from his duty belt, then kneeling near the head of Mr. Mendez and strike him several times with what appeared to be downward strikes. Officer Stanitis was observed on video utilizing this behavior on two occasions during the arrest of Mr. Mendez. Officer Michael Stanitis in his application appears to rely on what appears to be striking Mr. Mendez with an object which in contrast is outside the scope of Training, *Graham v. Connor* and the Policies of the Bridgeport Police Department in regard to Use of Force.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), this particular video captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017.

(View/camera ch06, segment 221251-222942) At 10:28:04PM (time stamp on video) Officer Michael Stanitis is walking past a gate midway into the driveway of 316 Colorado Avenue and helps Officer Sherback arrest Mr. Fernando Morales by removing him from the rear yard at 10:28:18PM (time stamp on video). Officer Stanitis in his statement stated Officer Pires completed a use of force form which included the force used by him and Officer Pires to affect the arrest of Mr. Fernando Morales. The force used to arrest Mr. Fernando Morales was documented by Officer Pires. Officer Stanitis stated he read the use of force report and it was accurate.

(View/camera ch06, segment 222942-224634) At 10:29:48PM (time stamp on video) Officer Michael Stanitis enters the rear of the home by the driveway and is present at the beginning and during the arrest of Mr. Carmelo Mendez. Officer Stanitis is observing other Officers attempting to arrest Mr. Mendez at 10:29:53PM. The video clearly shows Officer Stanitis remove an item from his duty belt on the left rear side of his body at 10:29:55PM and look in the direction of Lieutenant Sapiro. While positioning himself toward the bottom of the group of Officers near Mr. Mendez's head. Officer Stanitis in his statement stated that he neither took anything off of his belt (*Part II, Pages 12-3, Lines 562-4*), nor did he put anything onto his belt (*Part II, Pages 12-3, Lines 574-6*).

Officer Stanitis then positions himself between Officer Silva to his right and Officer Hernandez to his left and Detective Fortes who is in front of Officer Stanitis on the other side of Mr. Carmelo Mendez. All the Officers are on the ground with Mr. Mendez and all appear to be in direct contact with Mr. Mendez who is lying on the ground.

(View/camera ch06, segment 222942-224634) At 10:30:01PM (time stamp on video) a flash of light is seen directly under the torso of Officer Michael Stanitis (appears to be his flashlight) now in his hand. At 10:30:03 Officer Stanitis kneels between Officer Silva and Officer Bobby Hernandez and appears to rapidly move his right arm back and forth in a thrusting motion toward the head area of Mr. Mendez. It appears Officer Stanitis is striking Mr. Mendez although contact cannot be seen. At 10:30:06 Officer

Stanitis stands up and briefly looks in the direction of Lieutenant Sapiro again then goes back down in a kneeling posture between Officer Silva to his right and Officer Hernandez to his left. At 10:30:07 a viewer can see Officer Stanitis rapidly move his right arm again several times towards the head area of Mr. Mendez appearing to strike Mr. Mendez although contact cannot be seen.

(During his statement Officer Stanitis was asked if other than the individual (Fernando Morales), had he gone hands on with anyone else. Officer Stanitis replied, no, he attempted to assist. After they got this guy (Fernando Morales) in a car he walked to the back to check to see where his partner was. He saw a group of officers struggling with somebody (Carmelo Mendez). He heard an officer yell, "Gun." He attempted to assist. All he did was see officers he could not even see the guy (Carmelo Mendez). Officer Stanitis tried to get into assist with handcuffing him, and he could not, due to his angle he could not even get his (Carmelo Mendez) arms, then that was it, and he backed away, and they left shortly after that. *(Part I, Pages 11, Lines 464-471)*

(During his statement Officer Stanitis was asked, what he saw, and what he did, while he was in the crowd, he replied, he did not see much. He saw cops to the left of him, and to the right of him, and like above him, and in front of him, they were on top of him (Carmelo Mendez). He then saw a small portion of the guy's (Carmelo Mendez) back. Officer Stanitis stated, he was trying to pull him, and remembers just trying, to get his arm. Officer Stanitis could not reach over him (Carmelo Mendez) because there was no leverage. There was no way he could assist, and he really felt like he was in the way at that point, so he just backed away from the whole situation and let the other officers handle it. *(Part I, Pages 11, Lines 480-486),*

(Officer Stanitis was asked if he saw anyone strike this individual (Carmelo Mendez) he said, no. Officer Stanitis was asked if he struck this individual, he said, no. Officer Stanitis was asked if he saw injuries on this individual, he said, no, he could not even see him at all. *(Part II, Page 3 Lines 102-122)* Officer Stanitis denied being able to see Mr. Mendez, however is seen on video captured at 316 Colorado Avenue kneeling down, not once, but twice between Officers toward Mr. Mendez who was laying on the ground and appears to be striking Mr. Mendez.

At 10:30:09 Officer Stanitis stands and walks away from his kneeling position, replaces the item consistent with where officers commonly carry their flash light, onto his duty belt on the left side of his body with his left hand and appears to secure the item. During his statement Officer Stanitis stated he neither took anything off of his belt *(Part II, Pages 12-3, Lines 562-4)*, nor did he put anything onto his belt *(Part II, Pages 12-3, Lines 574-6)*.

(Officer Stanitis was asked, if while in the pile, he could only see the individuals (Carmelo Mendez) back, he stated, yes, like a section of his back. Officer Stanitis was asked if he was closer to his head, or closer to his feet, he responded, he believed, he was closer to his head. Officer Stanitis was asked if he was able to see his head at all, *he said, "no, no, poor lighting."* *(Part II, Page 2, line 55)*

Officer Stanitis was asked how close he was able to get to this individual, Officer Stanitis said, he was close enough to touch him, he was trying, to grab underneath, he was trying, to get his arm, but he was weighted down.

Officer Stanitis was asked if the individual was facing up or facing down when he was down there with him. Officer Stanitis responded, he thought, he was facing downwards, and almost in that direction, in the opposite direction of himself, because his back was to him. He thought, they were trying to get his arms from the other way, he did not know if that makes, he's not being very articulate right now, he was facing mostly down.

Officer Stanitis was asked if he could hear him (Carmelo Mendez), or did he hear anyone telling him anything, barking out any orders to him. Officer Stanitis stated, the thing he remembered hearing was, give me your hands, his hands, get his hands, give me your hands. He also remembers hearing the gun thing then all about the hands, this is when he was going for his arms. *(Part II, Pages 1-2, Lines 44-83)*

At 10:30:17 Officer Stanitis turns his back to the Officers still attempting to arrest Mr. Mendez. At 10:30:21 Officer Stanitis turns back towards the arresting Officers, looks at his right hand and stretches his thumb out twice then rubs his right hand on his pant leg as if he had injured it.

At 10:30:33 Officer Stanitis returns to his original position between Officer Silva and Officer Hernandez and observes the Officers complete the arrest of Mr. Mendez. Officer Stanitis was asked if he saw anyone striking Mr. Mendez, or did he, himself, strike Mr. Mendez and Officer Stanitis stated "No." *(Part II, page 3, line 102-108)*. Officer Stanitis also stated that he did not see any injuries on Mr. Mendez, offering that he was unable to "even see him at all" *(Part II, Page 3, Line 112)*. The video shows Officer Stanitis was watching Sergeant Paul Scillia, as Sergeant Scillia delivered two strikes to Mr. Mendez at 10:30:33-10:30:35.

At 10:30:44 Officer Stanitis is present as Mr. Mendez is picked up off the ground and helps escort Mr. Mendez to the front of the house where cameras lose sight of him. Officer Stanitis stated that when Mr. Mendez was lifted off the ground, he himself was standing behind officers, and also that he was not able to see Mr. Mendez well. *(Part II, Page 4, Lines 158-62)* The video however shows Officer Stanitis quickly helping to lift Mr. Carmelo Mendez off the ground, and as such had an unobstructed view as Mr. Mendez was pulled to his feet.

Additional videos of the arrest of Mr. Carmelo Mendez were provided by Attorney Berke (01-25-18 Video received from Att. Berke) which were copies of videos already obtained but now narrated by Mr. Carmelo Mendez. One of the videos marked 20171022_170415 was of the arrest of Mr. Carmelo Mendez. During this video Mr. Mendez is watching the video while narrating. Mr. Mendez can be heard saying, "him right here, the tall one, look, he put something in his hand, and look he starts hitting me in the face, him right here," Mr. Mendez points to the video with his finger and places it on Officer Michael Stanitis. Mr. Mendez goes on to say, "he (Officer Michael Stanitis) is going to put something in his pocket, his back pocket, his back pocket." Mr. Mendez thought it may have been his handcuffs. Mr. Mendez continues watching and says, and look, this guy, punched me twice (Sergeant Scillia) and again, amazing. (28. 316 Colorado Avenue video clip, Times 32 seconds- 1 minute, 25 seconds)

On 10-23-17 Mr. Mendez signed a consent to search form to extract files from his cellular phone the device is a Samsung SM-J700T Galazy J7. Bridgeport Police Detective James Kennedy preformed forensic exam and completed an extraction report.

During the extraction, image 20171022_145823_1508700034988 was recovered. This image depicted the left side temple area of Mr. Mendez's face. There were approximately seven circular bruises on the face of Mr. Mendez. In the center of one of the circular bruises there appears to be an "S" imprint in the middle of the bruise. The undersigned investigator finds these bruises to be consistent with the back end of a Streamlight flash light a common flashlight purchased by many Officers. The back end of the Streamlight flashlight is called a tail cap click switch. The click switch is made of a soft plastic/rubber material when depressed turns the flash light on. The plastic/rubber click switch has an "S" insignia stamped engraved in it.

Officer Michael Stanitis' account of the incident that occurred on evening of October 21, 2017 is inconsistent with documentation and video footage or statements obtained by the undersigned.

An inherent responsibility of a police officer is to act based on facts and circumstances then known to that officer at the time of the incident and, to promote public safety and wellbeing for all concerned. Police Officers are trained to conduct themselves considering those reasonable responsibilities, within the confines of the law. Officers are not expected, nor is it reasonable to request that their actions be perfect in hind sight. Rather, they must make their decisions based on the facts as they existed, or as they believed existed at the time a decision is made. The test to evaluate the reasonableness is objective in nature and is based upon what a reasonable, trained police officer on the scene would believe to be true.

Officer Michael Stanitis engaged in conduct which did not conform with acceptable police practices and procedures, in light of the facts known to him, in relation to the events which formed the basis for this investigation. His conduct in and method of interceding in the perceived threat was not consistent with the standards of police behavior reasonably expected under the circumstances.

The facts given by Officer Michael Stanitis during his statement are contrary to material evidence, and inconsistent with video footage. A review of the material by the undersigned investigator in part is based upon the believability of the evidence and the credibility of the witnesses.

The evidence which this investigator relied on heavily included cell phone videos from this incident and videos of home surveillance cameras in addition to cell phone footage captured by Mr. Carmelo Mendez who was injured on scene at 316 Colorado Avenue. The videos revealed the statement of Officer Michael Stanitis was inconsistent with what could be seen on video or derived from a preponderance or gathered evidence.

Conclusion:

Based on documentation, reports, videos and statements obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Michael Stanitis violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

1.1.7.4 USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from apply the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

2. Officer Michael Stanitis: Issue # 2 Truthfulness:

Upon order of the Chief of Police, the Chief's designee or a superior officer, Officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be constructed to mean that officers must divulge the names of informants.

Application of Standards:

As for the sustained violation policy of truthfulness levied against Officer Michael Stanitis in his sworn statement to this investigator Officer Stanitis stated the following. Officer Stanitis was asked if other than the individual (Fernando Morales), had he gone hands on with anyone else. Officer Stanitis replied, no, he attempted to assist.

After they got this guy (Fernando Morales) in a car he walked to the back to check to see where his partner was. He saw a group of officers struggling with somebody (Carmelo Mendez). He heard an officer yell, "Gun." He attempted to assist. All he did was see officers he could not even see the guy (Carmelo Mendez). Officer Stanitis tried to get into assist with handcuffing him, and he could not, due to his angle he could not even get his (Carmelo Mendez) arms, then that was it, and he backed away, and they left shortly after that. (*Part I, Pages 11, Lines 464-471*),

(During his statement Officer Stanitis was asked, what he saw, and what he did, while he was in the crowd, he replied, he did not see much. He saw cops to the left of him, and to the right of him, and like above him, and in front of him, they were on top of him (Carmelo Mendez). He then saw a small portion of the guy's (Carmelo Mendez) back. Officer Stanitis stated, he was trying to pull him, and remembers just trying, to get his arm. Officer Stanitis could not reach over him (Carmelo Mendez) because there was no leverage. There was no way he could assist, and he really felt like he was in the way at that point, so he just backed away from the whole situation and let the other officers handle it. (*Part I, Pages 11, Lines 480-486*),

(Officer Stanitis was asked if he saw anyone strike this individual (Carmelo Mendez) he said, no. Officer Stanitis was asked if he struck this individual, he said, no. Officer Stanitis was asked if he saw injuries on this individual, he said, no, he could not even see him at all. (*Part II, Page 3 Lines 102-122*))

At 10:30:09 Officer Stanitis stands and walks away from his kneeling position, replaces the item consistent with where officers commonly carry their flash light, onto his duty belt on the left side of his body with his left hand and appears to secure the item. During his statement Officer Stanitis stated he neither took anything off of his belt (*Part II, Pages 12-3, Lines 562-4*), nor did he put anything onto his belt (*Part II, Pages 12-3, Lines 574-6*).

(Officer Stanitis was asked, if while in the pile, he could only see the individuals (Carmelo Mendez) back, he stated, yes, like a section of his back. Officer Stanitis was asked if he was closer to his head, or closer to his feet, he responded, he believed, he was closer to his head. Officer Stanitis was asked if he was able to see his head at all, he said, "no, no, poor lighting." (*Part II, Page 2, line 55*))

Officer Stanitis was asked how close he was able to get to this individual, Officer Stanitis said, he was close enough to touch him, he was trying, to grab underneath, he was trying, to get his arm, but he was weighted down.

Officer Stanitis was asked if the individual was facing up or facing down when he was down there with him. Officer Stanitis responded, he thought, he was facing downwards, and almost in that direction, in the opposite direction of himself, because his back was to him. He thought, they were trying to get his arms from the other way, he did not know if that makes, he's not being very articulate right now, "he was facing mostly down." (*Part II, Page 2, line 75*)

At 10:30:17 Officer Stanitis turns his back to the Officers still attempting to arrest Mr. Mendez. At 10:30:21 Officer Stanitis turns back towards the arresting Officers, looks at his right hand and stretches his thumb out twice then rubs his right hand on his pant leg as if he had injured it.

At 10:30:33 Officer Stanitis returns to his original position between Officer Silva and Officer Hernandez and observes the Officers complete the arrest of Mr. Mendez. Officer Stanitis stated that he did not see anyone striking Mr. Mendez, nor did he, himself, strike Mr. Mendez. Officer Stanitis also stated that he did not see any injuries on Mr. Mendez, offering that he was unable to "even see him at all" (*Part II, Page 3, Line 112*). The video shows Officer Stanitis was watching Sergeant Paul Scillia, as Sergeant Scillia delivered two strikes to Mr. Mendez at 10:30:33-10:30:35.

At 10:30:44 Officer Stanitis is present as Mr. Mendez is picked up off the ground and helps escort Mr. Mendez to the front of the house where cameras lose sight of him. Officer Stanitis stated that when Mr. Mendez was lifted off of the ground, he himself was standing behind officers, and also that he was not able to see Mr. Mendez, well (*Part II, Page 4, Lines 158-62*). The video however shows Officer Stanitis helping to lift Mr. Carmelo Mendez off of the ground, and as such had an unobstructed view as Mr. Mendez was pulled to his feet.

Additional videos of the arrest of Mr. Carmelo Mendez were provided by Attorney Berke (01-25-18 Video received from Att Berke) which were copies of videos already obtained but were narrated by Mr. Carmelo Mendez. One of the videos marked 20171022_170415 was of the arrest of Mr. Carmelo Mendez. During this video Mr. Mendez is watching the video while narrating. Mr. Mendez can be heard saying, him right here, the tall one, look, he put something in his hand, and look he starts hitting me in the face, him right here, Mr. Mendez points to the video with his finger and places it on Officer Michael Stanitis. Mr. Mendez goes on to say, he (Officer Michael Stanitis) is going to put something in his pocket, his back pocket, his back pocket, Mr. Mendez thought it may have been his handcuffs. Mr. Mendez continues watching and says, and look, this guy, punched me twice (Sergeant Scillia) and again, amazing.

Summary of Surveillance Videos Relative to Officer Stanitis' Actions

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were several inconsistencies that were discovered relative to the statement provided by Officer Stanitis.

(Officer Stanitis was asked if he saw anyone strike this individual (Carmelo Mendez) he said, no. Officer Stanitis was asked if he struck this individual, he said, no.

The video clearly shows Officer Stanitis remove an item from his duty belt (consistent with where officers commonly carry their flash light), on the left rear side of his body at 10:29:55PM and look in the direction of Lieutenant Sapiro. While positioning himself toward the bottom of the group of Officers near Mr. Mendez's head. Officer Stanitis in his statement stated that he neither took anything off of his belt (*Part II, Pages 12-3, Lines 562-4*), nor did he put anything onto his belt (*Part II, Pages 12-3, Lines 574-6*). Officer Stanitis then positions himself between Officer Silva to his right and Officer Hernandez to his left and Detective Fortes who is in front of Officer Stanitis on the other side of Mr. Carmelo Mendez. At 10:30:03 Officer Stanitis kneels between Officer Silva and Officer Bobby Hernandez and appears to

rapidly move his right arm back and forth in a thrusting motion toward the head area of Mr. Mendez. It appears Officer Stanitis is striking Mr. Mendez although contact cannot be seen. At 10:30:06 Officer Stanitis stands up and briefly looks in the direction of Lieutenant Sapiro again then goes back down in a kneeling posture between Officer Silva to his right and Officer Hernandez to his left. At 10:30:07 a viewer can see Officer Stanitis rapidly move his right arm again several times towards the head area of Mr. Mendez appearing to strike Mr. Mendez although contact cannot be seen. Officer Stanitis stated in his statement he could not reach over him (Carmelo Mendez) because there was no leverage. There was no way he could assist, and he really felt like he was in the way at that point, so he just backed away from the whole situation and let the other officers handle it. (*Part I, Pages 11, Lines 480-486*),

Officer Stanitis was asked if he saw injuries on this individual, he said, no, he could not even see him at all. (*Part II, Page 3 Lines 102-122*) At 10:30:33 Officer Stanitis returns to his original position between Officer Silva and Officer Hernandez and observes the Officers complete the arrest of Mr. Mendez. Officer Stanitis was asked if he saw anyone striking Mr. Mendez, or did he, himself, strike Mr. Mendez and Officer Stanitis stated "No." (*Part II, page 3, line 102-108*. Officer Stanitis also stated that he did not see any injuries on Mr. Mendez, offering that he was unable to "even see him at all" (*Part II, Page 3, Line 112*). The video shows Officer Stanitis was watching Sergeant Paul Scillia, as Sergeant Scillia delivered two strikes to Mr. Mendez at 10:30:33-10:30:35.

At 10:30:44 Officer Stanitis is present as Mr. Mendez is picked up off the ground and helps escort Mr. Mendez to the front of the house where cameras lose sight of him. Officer Stanitis stated that when Mr. Mendez was lifted off of the ground, he himself was standing behind officers, and also that he was not able to see Mr. Mendez well (*Part II, Page 4, Lines 158-62*). The video however shows Officer Stanitis helping to lift Mr. Carmelo Mendez off of the ground, and as such had an unobstructed view as Mr. Mendez was pulled to his feet.

Additional videos of the arrest of Mr. Carmelo Mendez were provided by Attorney Berke (01-25-18 Video received from Att Berke) which were copies of videos already obtained but were narrated by Mr. Carmelo Mendez. One of the videos marked 20171022_170415 was of the arrest of Mr. Carmelo Mendez. During this video Mr. Mendez is watching the video while narrating. Mr. Mendez can be heard saying, him right here, the tall one, look, he put something in his hand, and look he starts hitting me in the face, him right here, Mr. Mendez points to the video with his finger and places it on Officer Michael Stanitis. Mr. Mendez goes on to say, he (Officer Michael Stanitis) is going to put something in his pocket, his back pocket, his back pocket, Mr. Mendez thought it may have been his handcuffs.

Conclusion:

Officer Stanitis, trusted by the Department and community was less than credible in his testimony beginning with the initial investigation and statements. Compounded when compared with the evidence produced by the video.

The evidence and testimony support the above violations of the Bridgeport Police Department Rules and Regulations brought forward by this undersigned investigator, but most conclusively 1.3.38 (*Truthfulness*).

1.3.38 TRUTHFULNESS

The integrity of police service is based on truthfulness. Member shall be honest and forthright when questioned by a superior officer. No member shall knowingly or willfully depart from the truth in giving testimony, or in creating a written report, affidavit, or statement about any action or inactions that relates to the member's employment with the Bridgeport Police Department.

This requirement to be honest and forthright and not knowingly or willfully departing from the truth applies to all communications: in person, verbal, written, telephonic, electronic or via radio.

Any sworn member of the Bridgeport Police Department may be ordered by the Chief of Police and or his or her designee to respond fully and truthfully to questions about any action taken that relates to the member's employment or position as it pertains to an internal or administrative investigation.

Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut.

Officer Michael Stanitis

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.29 Public Contact

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1 Use of Force

3.7.1.1 Definitions

3.7.1.17 Situations Requiring A Use Of Force Report

3.7.3.9.3 Physically Injured Or Ill Prisoners

1. Officer Thomas Lattanzio: Issue # 1 Use of Force:

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Officer Thomas Lattanzio stated on October 21, 2017 he responded to 316 Colorado Avenue because a 10-32, "Officer Needs Assistance" incident. The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Officer Thomas Lattanzio was reasonable and based on the facts known to Officer Thomas Lattanzio at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

- a) *This investigator having carefully and with all due attention reviewed all the facts and circumstances in the above referenced matter, finds it incumbent upon this office to express that given the sensitive nature of the separation of service the following issues relative to Officer Lattanzio are presented as issues only to fulfill the requirements of policy and to provide the facts in their contextual entirety. It is with compassion and understanding that the following issues are presented.*

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

This force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

II. Tactical Analysis:

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Officer Thomas Lattanzio found himself on October 21, 2017 ultimately developed into a chaotic scene. The scene reconstruction has proven challenging due to the inability to obtain access to the scene without the cooperation of the home owners and the Unusual Occurrence which was reported on the same night to the Office of Internal Affairs.

Officer Lattanzio related that his primary intention was to get inside the house to see if any officers were in a physical fight. Officer Lattanzio then disclosed that the individual that he had arrested, Mr. Jose Alvarado, was barring him from doing that because there was a stairwell that lead up to a deck. According to Officer Lattanzio, when he approached Mr. Alvarado he had his cell phone out and saying, "Oh this is fuckin' ridiculous, you know what you can't be here." (Lattanzio 353-354)

Officer Lattanzio indicates that he told him three or four times that he was going into the house and that he needed to move, and that Mr. Alvarado responded by saying that he was checking on his aunt. Officer Lattanzio claims that he told him that he was not checking for anybody and that he had to go.

Officer Lattanzio stated that Mr. Alvarado started posturing with his body and his upper body and that last thing he needed was a physical fight. Officer Lattanzio imparted that he told Mr. Alvarado that he had to go, or he would be arrested for interfering, but that Mr. Alvarado continued to posture. Officer Lattanzio stated that it was at this point, that he told Mr. Alvarado to put his hands behind his back and that he was under arrest. Officer Lattanzio revealed that he did not know if he should have done that because now he could not have helped the other officers but considering that there were other officers on the way, Officer Lattanzio believed that Mr. Alvarado would have started something if he did not arrest him.

Officer Lattanzio conveyed that after he placed Mr. Alvarado under arrest, he started to posture and tug on him with his body weight and that at that point, he stated that the last thing he needed was a foot chase since he did not know if he was trying to get away. Officer Lattanzio indicated that Mr. Alvarado might have slipped and was pulling so hard that he was leaning over that he slipped too and tapped him on the neck and told him, "Cut the shit, what the fuck man." (Lattanzio 433-434) Officer Lattanzio disclosed that the controlling maneuver worked exceptionally well because Mr. Alvarado stopped doing what he was doing.

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense.

A determination must also be made as to whether the force used complied with the requirements of *Graham v. Connor* as to be objectively reasonable. First, how serious was the offense that the officer suspected at the time the officer used force? Officer Lattanzio in his statement indicates that Mr. Alvarado might have slipped and was pulling so hard that he was leaning over that he slipped too and tapped him on the neck and told him, "Cut the shit, what the fuck man." (Lattanzio 433-434) At the time Officer Lattanzio detained Mr. Alvarado and tapped him on the back of the neck, Officer Sherback was standing next to Officer Lattanzio and Officer Bepko was to the right of Officer Sherback. Both Officer Sherback and Officer Bepko were in direct observation with an unobstructed view.

Based on Officer Lattanzio's statement the force seemed to be premature. Based on the video Mr. Alvarado did not appear to pull away from Officer Lattanzio while being placed under arrest.

Second, did the suspect pose a threat to the officer or any other person present. Officer Lattanzio conveyed that after he placed Mr. Alvarado under arrest, he started to posture and tug on him with his body weight and that at that point, he stated that the last thing he needed was a foot chase since he didn't know if he was trying to get away.

Third, was the suspect actively resisting or attempting to evade arrest by flight. In reference to the 3rd prong of *Graham v. Connor* based on all information reviewed by this investigator the suspect's actions were not of someone attempting to evade arrest. In a thorough review and examination, it is difficult at best to see at any point during the captured incident when Mr. Alvarado was attempting to get away.

In examining the incident and reviewing the video, taking into consideration if and when Mr. Alvarado submitted or succumbed to the officer, this investigator has reviewed efforts made to temper the severity of the force response. Officer Lattanzio has proffered that the tap on the neck of Mr. Alvarado was to stop him from starting a foot chase.

The Bridgeport Police Department Policy pertaining to the Use of force by a sworn police officer is identified as 3.7.1 Use of Force. Section 3.7.1 Use of force of the Bridgeport Police Department Policy and Procedures is provided in the opening of this report. In addition, this incident lies within the **Three Factors Rule**: As outlined by *Graham v. Connor*.

1. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be required.
2. Did the suspect pose a threat to the officer or any other person present?
3. Was the suspect actively resisting or attempting to evade arrest by flight.

Enclosed is the L.O.C.K.U.P. Police Department Training Arrest and Control Manuel. During the L.O.C.K.U.P. lessons students are advised of the deadly force area (Totality of the circumstances) Four targets if struck could be considered to be potentially lethal (Eyes, Throat, Side of Neck Vagus Nerve and Temple).

Exhibit #5a Authority Case Law which consist of Graham v. Connor, Kingsley v. Hendrickson, Tennessee v. Garner and House Bill No. 7103 Public Act No. 15-4.

This office, as well as any reasonable person could logically conclude that officer Thomas Lattanzio was in violation of Department Policy 1.1.7.4 Use of force.

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), this particular video captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017.

By reviewing Channel 6, the viewer can observe Officer Lattanzio walking in the backyard at 10:27:48 and immediately walk over the deck area. Officer Lattanzio is then seen pointing and speaking to Mr. Alvarado while at the same time that Mr. Fernando Morales is being walked out by Officer Michael Stanitis and Officers Todd Sherback. Under this channel, a viewer cannot see Mr. Morales bump Officer Lattanzio. Officer Lattanzio then grabs Mr. Alvarado by the left arm and walks him over to the entrance of the driveway.

Officer Lattanzio then pulls Mr. Alvarado's left arm behind his back and starts to handcuff him. Officer Sherback at this point assists Officer Lattanzio in handcuffing Mr. Alvarado. It is at this time, that Officer Lattanzio strikes Mr. Alvarado in the back of the neck twice with an open hand. Note that Officer Douglas Bepko is standing right next to Officer Lattanzio and has a clear view of this incident. Officer Lattanzio walks Mr. Alvarado to the front of the house who is still wearing his glasses.

The undersigned Sergeant sent Mr. Alvarado a correspondence to schedule an interview. Mr. Alvarado never contacted the Office of Internal Affairs nor this investigator.

Conclusion:

4.02 Investigating Misconduct and Citizen Complaints

I. Time Limits on Completing Internal Affairs Investigation

5. "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

As of this date, Officer Lattanzio is separated from service with the Bridgeport Police department due to his untimely death.

2. Officer Thomas Lattanzio

Issue # 2 Truthfulness:

Upon order of the Chief of Police, the Chief's designee or a superior officer, Officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be constructed to mean that officers must divulge the names of informants.

Application of Standards:

Officer Thomas Lattanzio in his sworn statement to this investigator Officer Lattanzio stated the following. That after he placed Mr. Alvarado under arrest, he started to posture and tug on him with his body weight. Officer Lattanzio indicated that Mr. Alvarado might have slipped and was pulling so hard that he was leaning over, that he slipped too and tapped him on the neck and told him, "Cut the shit, what the fuck man." (Lattanzio 433-434) Officer Lattanzio disclosed that the controlling maneuver worked exceptionally well because Mr. Alvarado stopped doing what he was doing.

Summary of Surveillance Videos Relative to Officer Lattanzio's Actions

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were several inconsistencies that were discovered relative the statement provided by Officer Lattanzio.

Officer Lattanzio stated that after he placed Mr. Alvarado under arrest, he started to posture and tug on him with his body weight. Officer Lattanzio indicated that Mr. Alvarado might have slipped and was pulling so hard that he was leaning over, that he slipped too and tapped him on the neck. Note that Officer Lattanzio did not document this anywhere in his incident report or his use of force document.

By reviewing the video footage provided by Attorney Berke, a viewer can see Officer Lattanzio strike Mr. Alvarado in the back of the neck two times with an open hand as he is handcuffing him.

Conclusion:

Officer Lattanzio, trusted by the Department and community was less than credible in his testimony beginning with the initial investigation and statements. Compounded when compared with the evidence produced by the video.

4.02 Investigating Misconduct and Citizen Complaints

I. Time Limits on Completing Internal Affairs Investigation

5. "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

As of this date, Officer Lattanzio is separated from service with the Bridgeport Police department due to his untimely death.

3. Officer Thomas Lattanzio Booking Incident (Count # 2) Issue # 2 Use of Force:

Officer Thomas Lattanzio stated on October 21, 2017 he was processing Mr. Alvarado, Mr. Diaz who was to his left, started to nudge him and that they started to exchange words and Mr. Diaz was saying, "suck my dick, all that stuff." (Lattanzio 1267-1268) Officer Lattanzio indicates that he started to entertain Mr. Diaz trying to patronize him and make light of the situation to appease him. Officer Lattanzio notes that Mr. Diaz kept on doing it a little harder and that he turned to his left and told Mr. Diaz to, "Cut the shit man. Stay away from me man, gimme my space man" (Lattanzio 1272-1273, 1277). Officer Lattanzio disclosed that Mr. Diaz kept nudging him a little harder and that's what prompted him to turn around and say, "Hey listen man, get away from me man" and he, "pushed him with open hands." (Lattanzio 1405 & 1409)

Officer Lattanzio continues that he started doing his paperwork when Mr. Diaz spit in his face which went right in his left eye, nose, and a little in his mouth which caused him not to see for a few seconds. Officer Lattanzio states that his reaction was a fight or flight and that he was afraid something else was going to happen or if Mr. Diaz was going to stab him with a pen and that the last thing he wanted to do was get into an altercation where they are going at it. Officer Lattanzio claims that he did not see Mr. Diaz handcuffed or if he had any injuries on him.

Officer Lattanzio imparts that his reaction / natural instinct was to reach over and lightly tap Mr. Diaz in the face. Officer Lattanzio exclaims that he, "gave him a tap to alert him, like that ain't happening' in here man." (Lattanzio 1577) When asked if he had deliberately struck Mr. Diaz in the face, Officer Lattanzio further explained, "That's where my closed fist touched his left cheek and it wasn't even a strike it was just a little push." (Lattanzio 2007-2008)

The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Officer Thomas Lattanzio was reasonable and based on the facts known to Officer Thomas Lattanzio at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

This force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

II. Tactical Analysis:

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Officer Thomas Lattanzio found himself on October 21, 2017 ultimately developed into a chaotic scene. Incident was reported on the same night to the Office of Internal Affairs.

Officer Lattanzio articulates that he took recourse to protect himself since he did not know what was going to be followed up by Mr. Diaz and that he was protecting himself from being further assaulted. Officer Lattanzio expressed that he was also scared because he did not know what was going to happen next.

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense.

A determination must also be made as to whether the force used complied with the requirements of *Graham v. Connor* as to be objectively reasonable. First, how serious was the offense that the officer suspected at the time the officer used force? Officer Lattanzio articulates that Mr. Diaz spit in his face and he took recourse to protect himself since he did not know what was going to be followed up by Mr. Diaz and that he was protecting himself from being further assaulted.

Based on Officer Lattanzio's statement the force is arguably precipitous at best. Based on the video Mr. Diaz was handcuffed with his hands in front of him at the time Officer Lattanzio punched him in the face.

Second, did the suspect pose a threat to the officer or any other person present. Officer Lattanzio conveyed that Mr. Diaz spit in his face which went right in his left eye, nose, and a little in his mouth which caused him not to see for a few seconds. Note: In the video footage captured of this incident, Mr. Diaz taps Officer Lattanzio on the left shoulder which causes Officer Lattanzio to turn around and push him with his right hand. Officer Lattanzio starts pointing his finger at Mr. Diaz and a few seconds later, again pushes Mr. Diaz. Mr. Diaz reacts by swiping Officer Lattanzio's hand out of the way and they continue to argue.

In the video footage captured of this incident, it did not appear as if Officer Lattanzio vision was impaired for a few seconds. Without hesitation Officer Lattanzio stops the processing of Mr. Alvarado, puts his pen away in his left chest pocket and strikes Mr. Diaz in the left side of his face with a closed fist using his right hand.

Third, was the suspect actively resisting or attempting to evade arrest by flight. In reference to the 3rd prong of *Graham v. Connor* based on all information reviewed by this investigator the suspect's actions were not of someone attempting to evade arrest. In a thorough review and examination, there is no point or reasonable possibility during the captured incident when Mr. Diaz was attempting to get away. Mr. Diaz was already under arrest, handcuffed and in the secured Bridgeport Police Booking facility with many Police and Detention officers present.

In examining the incident and reviewing the video, this investigator has reviewed efforts made to temper the severity of the force response. Officer Lattanzio has proffered that he did not punch Mr. Diaz in the face, he only gave Mr. Diaz a light tap.

The Bridgeport Police Department Policy pertaining to the Use of force by a sworn police officer is identified as 3.7.1 Use of Force. Section 3.7.1 Use of force of the Bridgeport Police Department Policy and Procedures is provided in the opening of this report. In addition, this incident lies within the **Three Factors Rule**: As outlined by Graham v. Connor.

4. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be required.
5. Did the suspect pose a threat to the officer or any other person present?
6. Was the suspect actively resisting or attempting to evade arrest by flight.

Enclosed is the L.O.C.K.U.P. Police Department Training Arrest and Control Manual. During the L.O.C.K.U.P. lessons students are advised of the deadly force area (Totality of the circumstances) Four targets if struck could be considered to be potentially lethal (Eyes, Throat, Side of Neck Vagus Nerve and Temple).

Exhibit #5a Authority is Case Law which consist of Graham v. Connor, Kingsley v. Hendrickson, Tennessee v. Garner and House Bill No. 7103 Public Act No. 15-4.

This office, as well as any reasonable person could logically conclude that officer Thomas Lattanzio was in violation of Department Policy 1.1.7.4 Use of force.

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Based on the Booking Videos obtained, this particular video captured several different views around the Booking front desk area during the incident on October 21, 2017.

Officer Lattanzio wrote in his incident report that during Mr. Diaz's being issued verbal instructions, he spit mucous directly towards his face and the mucous entered his "right" eye and on his face right above his nose area. Note that Officer Lattanzio indicates in his statement that it was the left eye and that the spit blinded him for a few seconds. The booking video shows that Mr. Diaz spits in the left side of Officer Lattanzio's face. Officer Lattanzio reacts by putting his pen away in his left chest pocket and strike Mr. Diaz in the left side of his face with a closed fist.

Officer Lattanzio claimed both in his report and statement that he gave Mr. Diaz a "light tap" to warn Mr. Diaz. Officer Lattanzio in his statement explained, "That's where my closed fist touched his left cheek and it wasn't even a strike it was just a little push." (*Lattanzio Page 45, line 2007-2008*)

It is clearly shown on the video however, that Officer Lattanzio strikes Mr. Diaz in the face causing him to fall to the ground. In his statement, Officer Lattanzio related that he did not remember Mr. Diaz falling to the ground and explained that he was temporarily blinded and that if Mr. Diaz did fall to the ground he does not remember. Note that Officer Lattanzio claims that he was temporarily blinded, however, after he strikes Mr. Diaz, he immediately returns to processing Mr. Alvarado as if nothing happened and he is not seen wiping any mucous off of his face at any time.

In addition, Officer Lattanzio relates that he did not kick Mr. Diaz at any time during their altercation or whether Mr. Diaz was handcuffed. The booking video shows that after Officer Lattanzio strikes Mr. Diaz, he appears to kick him while he is on the ground and the viewer can clearly see that Mr. Diaz is handcuffed to the front.

Conclusion:

4.02 Investigating Misconduct and Citizen Complaints

I. Time Limits on Completing Internal Affairs Investigation

5. "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

As of this date, Officer Lattanzio is separated from service with the Bridgeport Police department due to his untimely death.

4. Officer Thomas Lattanzio Booking Incident (Count #2) Issue # 2 Truthfulness:

Upon order of the Chief of Police, the Chief's designee or a superior officer, Officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be constructed to mean that officers must divulge the names of informants.

Application of Standards:

Officer Thomas Lattanzio in his sworn statement to this investigator Officer Lattanzio stated the following. In his incident report, Officer Lattanzio imparts that Mr. Peter Diaz, who was standing in booking to his left side, began to deliberately taunt him with simple body nudges and/or by merely brushing his left side with his right arm. Officer Lattanzio indicates in his statement that he started to entertain Mr. Diaz trying to patronize him and make light of the situation to appease him.

Officer Lattanzio indicates in his statement that he started to entertain Mr. Diaz trying to patronize him and make light of the situation to appease him. Officer Lattanzio explained in his incident report that after allowing this to continue for only a short time, he told Mr. Diaz to give him space after he nudged him again in what he believed was a deliberate attempt to physically contact his body.

Officer Lattanzio wrote in his incident report that during Mr. Diaz's being issued verbal instructions, he spit mucous directly towards his face and the mucous entered his "right" eye and on his face right above his nose area. Note that Officer Lattanzio indicates in his statement that it was the left eye and that the spit blinded him for a few seconds.

Officer Lattanzio claimed both in his report and statement that he gave Mr. Diaz a "light tap" to warn Mr. Diaz. Officer Lattanzio in his statement explained, "That's where my closed fist touched his left cheek and it wasn't even a strike it was just a little push." (Lattanzio 2007-2008)

In his statement, Officer Lattanzio related that he did not remember Mr. Diaz falling to the ground and explained that he was temporarily blinded and that if Mr. Diaz did fall to the ground he does not remember. Note that Officer Lattanzio claims that he was temporarily blinded, however, after he strikes Mr. Diaz, he immediately returns to processing Mr. Alvarado as if nothing happened and he is not seen wiping any mucous off of his face at any time. In addition, Officer Lattanzio relates that he did not kick Mr. Diaz at any time during their altercation or whether Mr. Diaz was handcuffed.

Summary of Surveillance Videos Relative to Officer Lattanzio's Actions

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were several inconsistencies that were discovered relative the statement provided by Officer Lattanzio.

By reviewing the Booking video, the first time Mr. Diaz comes into contact with Officer Lattanzio is when he brushes Officer Lattanzio's left arm which causes Officer Lattanzio to push him. Mr. Diaz contact with Officer Lattanzio, however, does not appear to be intentional. Officer Lattanzio then states that Mr. Diaz became verbally abusive, which is verified in the Booking video.

Officer Lattanzio indicates in his statement that he started to entertain Mr. Diaz trying to patronize him and make light of the situation to appease him. In the booking video, you do see Officer Lattanzio speaking and laughing with Mr. Diaz, however, due to all the noise around a viewer cannot tell what Officer Lattanzio is telling Mr. Diaz. Officer Lattanzio explained in his incident report that after allowing this to continue for only a short time, he told Mr. Diaz to give him space after he nudged him again in what he believed was a deliberate attempt to physically contact his body.

Officer Lattanzio wrote in his incident report that during Mr. Diaz's being issued verbal instructions, he spit mucous directly towards his face and the mucous entered his "right" eye and on his face right above his nose area. Note that Officer Lattanzio indicates in his statement that it was the left eye and that the spit blinded him for a few seconds. The booking video shows that Mr. Diaz spits in the left side of Officer Lattanzio's face. Officer Lattanzio reacts by putting his pen away in his left chest pocket and strike Mr. Diaz in the left side of his face with a closed fist. Officer Lattanzio claimed both in his report and statement that he gave Mr. Diaz a "light tap" to warn Mr. Diaz. Officer Lattanzio in his statement explained, "That's where my closed fist touched his left cheek and it wasn't even a strike it was just a little push." (Lattanzio 2007-2008)

It is clearly shown on the video however, that Officer Lattanzio strikes Mr. Diaz in the face causing him to fall to the ground. In his statement, Officer Lattanzio related that he did not remember Mr. Diaz falling to the ground and explained that he was temporarily blinded and that if Mr. Diaz did fall to the ground he does not remember. Note that Officer Lattanzio claims that he was temporarily blinded, however, after he strikes Mr. Diaz, he immediately returns to processing Mr. Alvarado as if nothing happened and he is not seen wiping any mucous off of his face at any time. In addition, Officer Lattanzio relates that he did not kick Mr. Diaz at any time during their altercation or whether Mr. Diaz was handcuffed.

The booking video shows that after Officer Lattanzio strikes Mr. Diaz, he appears to kick him while he is on the ground and the viewer can clearly see that Mr. Diaz is handcuffed to the front.

Conclusion:

4.02 Investigating Misconduct and Citizen Complaints

I. Time Limits on Completing Internal Affairs Investigation

5. "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

As of this date, Officer Lattanzio is separated from service with the Bridgeport Police department due to his untimely death.

1. Officer Daniel Faroni: Issue # 1 Use of Force:

Officer Daniel Faroni stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out. The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Officer Daniel Faroni was reasonable and based on the facts known to Officer Daniel Faroni at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

This force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

II. Tactical Analysis:

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Officer Daniel Faroni found himself on October 21, 2017 ultimately developed into a chaotic scene. The scene reconstruction has proven challenging due to the inability to obtain access to the scene without the cooperation of the home owners and the Unusual Occurrence which was reported on the same night to the Office of Internal Affairs.

Officer Faroni further stated upon arrival to the Booking ramp Peter Diaz (suspect) became more belligerent and once out of the car refused to stand and was playing games and just sat down refusing to help get walked in. While on the ramp there was Stratford Police Officer (unknown name) helped Officer Faroni pick Peter Diaz (suspect) up and get him into booking. Peter Diaz (suspect) was not helping and wouldn't walk and was pulling down on Officer Faroni. Officer Faroni along with other police officer had to drag Peter Diaz (suspect) to the booking doors. Peter Diaz (suspect) kept saying "I'm getting my attorney Fitzpatrick, he got me off a murder rap". Once inside he then began to help. Officer Faroni finally got Peter Diaz (suspect) to the booking counter to get him inventoried where he was still argumentative and making a joke out of everything.

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense.

A determination must also be made as to whether the force used complied with the requirements of Graham v. Connor as to be objectively reasonable. First, how serious was the offense that the officer suspected at

the time the officer used force? Officer Faroni in his statement indicates Peter Diaz (suspect) became more belligerent and once out of the car refused to stand and was playing games and just sat down refusing to help get walked in.

Officer Faroni acknowledged several times during his statement that he was aware of the fact that Mr. Diaz was injured (*Pages 14-5, Lines 629-31*), (*Page 17, Line 751*), (*Page 30, Line 1312*), however, Officer Faroni, absent any exigency and while aided by at least one additional Officer (from another agency), based on the video, opted to drag Mr. Diaz up the booking ramp and into the sally port area. Officer Faroni stated, Mr. Diaz was dragged part-way up the booking ramp, to a distance of which Officer Faroni estimated to have been only a few feet (*Page 21, Lines 941-43*). Officer Faroni added that Mr. Diaz was given several opportunities to sit and rest as they were getting him into the booking area.

Second, did the suspect pose a threat to the officer or any other person present. Officer Faroni continued on, stating that Mr. Diaz was uncooperative with him, as he and a Stratford Police Officer attempted to aid Mr. Diaz in getting up the booking ramp.

Third, was the suspect actively resisting or attempting to evade arrest by flight. In reference to the 3rd prong of *Graham v. Connor* based on all information reviewed by this investigator the suspect's actions were not of someone resisting or attempting to evade arrest. In a thorough review and examination, discernable point during the captured incident when Officer Faroni made efforts to properly escort Mr. Diaz into Booking. Mr. Diaz had an injured left leg which made it difficult for him to run, much less walk up the ramp and into Booking.

In examining the incident and reviewing the video, taking into consideration if and when Mr. Diaz submitted or succumbed to the officer, this investigator has reviewed efforts made to temper the severity of the force response. Officer Faroni has proffered that Mr. Diaz was uncooperative with him.

The Bridgeport Police Department Policy pertaining to the Use of force by a sworn police officer is identified as 3.7.1 Use of Force. Section 3.7.1 Use of force of the Bridgeport Police Department Policy and Procedures is provided in the opening of this report. In addition, this incident lies within the **Three Factors Rule**: As outlined by *Graham v. Connor*.

1. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be required.
2. Did the suspect pose a threat to the officer or any other person present?
3. Was the suspect actively resisting or attempting to evade arrest by flight.

Enclosed is the L.O.C.K.U.P. Police Department Training Arrest and Control Manual. During the L.O.C.K.U.P. lessons students are advised of the deadly force area (Totality of the circumstances) Four targets if struck could be considered to be potentially lethal (Eyes, Throat, Side of Neck Vagus Nerve and Temple).

Exhibit #5a Authority is Case Law which consist of *Graham v. Connor*, *Kingsley v. Hendrickson*, *Tennessee v. Garner* and House Bill No. 7103 Public Act No. 15-4.

This office, as well as any reasonable person could logically conclude that officer Daniel Faroni was in violation of Department Policy 1.1.7.4 Use of force.

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), this particular video captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017.

Officer Faroni stated Officer Mazzacco said "This guy's going, this guy's going" and pointed to a guy (Mr. Peter Diaz) in a wheelchair. Officer Faroni stated he volunteered to transport him. Officer Faroni continued on, stating that as he was wheeling Mr. Diaz from the rear yard, he was doused with water by an elderly female. Officer Faroni added that he believes another officer arrested the elderly female for throwing water on the Officers. Officer Faroni stated that he continued to wheel Mr. Diaz to his patrol car in order to transport him to booking. *(Page 5, line 190-195)*

Officer Faroni stated that because Mr. Diaz was in a wheelchair, he handcuffed Mr. Diaz in the front; as such it would enable Mr. Diaz to assist in getting in and out, and in the event that Mr. Diaz was to fall, he would be able to catch himself.

Officer Faroni stated that aside from wheeling Mr. Diaz to his patrol car, he used no physical force with anyone on scene at 316 Colorado Avenue.

Conclusion:

Based on documentation, reports, videos and statements obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Daniel Faroni violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

1.1.7.4 USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from apply the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

2. Officer Daniel Faroni: Issue # 2 Failure to Protect Property:

Officer Daniel Faroni stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out. The issue presented to the Office of Internal Affairs is whether Officer Daniel Faroni was reasonable and based on the facts known to Officer Daniel Faroni at the time of the occurrence and within clearly established policies/procedures, and legal standards; if he properly handled the personal property (wheelchair) of Mr. Diaz given the circumstance.

Applicable Standards:

3.7.4 Personal Property of Prisoners This section provides guidelines for the handling of personal property of arrestees who are lodged in the Lockup / Holding Facility of BPD.

BPD policy is to ensure that all sworn members and Detention Officers properly handle the personal property of arrestees.

In a thorough review and examination, there is no discernable point during the captured incident when Officer Faroni made efforts to properly escort Mr. Diaz into Booking. Mr. Diaz had an injured left leg which made it difficult for him to run, much less walk up the ramp and into Booking.

The Bridgeport Police Department Policy pertaining to the protection of Personal Property of Prisoners by a sworn police officer is identified as **3.7.4 Personal Property of Prisoners** This section provides guidelines for the handling of personal property of arrestees who are lodged in the Lockup / Holding Facility of BPD.

BPD policy is to ensure that all sworn members and Detention Officers properly handle the personal property of arrestees.

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), this particular video captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017.

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Officer Daniel Faroni placed Mr. Diaz's wheelchair in the trunk of his police cruiser is captured on (video name: **10-21-17 316 Colorado Avenue Berke USB CH01**). On 10-21-17 at approximately 10:51:00 Officer Faroni is captured on video placing Mr. Diaz's wheelchair into the trunk of his police cruiser. At approximately 10:51:58 Officer Faroni backs

his vehicle up and then begins to drive forward. At this point the wheelchair is captured falling out from the trunk of Officer Faroni's police cruiser. Officer Faroni continued driving away never stopping to retrieve Mr. Diaz's wheelchair. At approximately 10:53:16 an unidentified officer is seen pushing the wheelchair out of the middle of the street toward the curb with his foot. At approximately 10:53:22 Officer Joseph Cruz is seen picking the wheelchair up and walking it to 316 Colorado Avenue where he claimed he left it with a family member.

Mr. Diaz not having his wheelchair made it difficult to walk into Booking. This incident caused Officer Faroni upon arrival to the Booking ramp to drag Peter Diaz (suspect) up the booking ramp and inside the sally port door. Ultimately Peter Diaz was assisted up to one foot and hopped his way into Booking.

Officer Faroni acknowledged several times during his statement that he was aware of the fact that Mr. Diaz was injured (*Pages 14-5, Lines 629-31*), (*Page 17, Line 751*), (*Page 30, Line 1312*), however, Officer Faroni, absent any exigency and while aided by at least one additional Officer (from another agency), based on the video, opted to drag Mr. Diaz up the booking ramp and into the sally port area. Officer Faroni stated, Mr. Diaz was dragged part-way up the booking ramp, to a distance of which Officer Faroni estimated to have been only a few feet (*Page 21, Lines 941-43*). Officer Faroni added that Mr. Diaz was given several opportunities to sit and rest as they were getting him into the booking area.

Officer Faroni continued on, stating that Mr. Diaz was uncooperative with him, as he and a Stratford Police Officer attempted to aid Mr. Diaz in getting up the booking ramp.

Note: Based on Officer Faroni's incident/supplemental report #171021-297 he never addressed what happened to Mr. Diaz's wheelchair or if it was ever returned to Mr. Diaz

Conclusion:

Based on documentation, reports, videos and statements obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Daniel Faroni violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

3.7.4 Personal Property of Prisoners This section provides guidelines for the handling of personal property of arrestees who are lodged in the Lockup / Holding Facility of BPD.

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

BPD policy is to ensure that all sworn members and Detention Officers properly handle the personal property of arrestees.

Officer Daniel Faroni

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.35 Processing Property and Evidence

3.7.1 Use of Force

3.7.1.1 Definitions

3.7.3.9.1 Handicapped Prisoner

3.7.4 Personal Property of Prisoners

Total Number of Redactions: 54

By Exemption:

"Attorney/Client" (Attorney/Client): 2 instances
"Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 12 instances
"Personal Information" (CGS Sec. 42-471): 3 instances
"HIPAA" (HIPAA): 17 instances
"Identity of informant not otherwise known or witness not otherwise known." (Sec. 1-210(b)(3)A): 18 instances
"Investigatory techniques not otherwise known to the general public." (Sec. 1-210(b)(3)E): 2 instances

By Page:

Page 3 - "Attorney/Client" (Attorney/Client): 1 instance
Page 13 - "Personal Information" (CGS Sec. 42-471): 2 instances
Page 14 - "HIPAA" (HIPAA): 1 instance
Page 20 - "HIPAA" (HIPAA): 2 instances
Page 21 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 5 instances
Page 22 - "HIPAA" (HIPAA): 2 instances
Page 32 - "HIPAA" (HIPAA): 1 instance
Page 34 - "HIPAA" (HIPAA): 5 instances
Page 36 - "Identity of informant not otherwise known or witness not otherwise known." (Sec. 1-210(b)(3)A): 2 instances
Page 51 - "Attorney/Client" (Attorney/Client): 1 instance
Page 54 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 2 instances
Page 54 - "HIPAA" (HIPAA): 5 instances
Page 58 - "Identity of informant not otherwise known or witness not otherwise known." (Sec. 1-210(b)(3)A): 9 instances
Page 58 - "Investigatory techniques not otherwise known to the general public." (Sec. 1-210(b)(3)E): 2 instances
Page 59 - "Identity of informant not otherwise known or witness not otherwise known." (Sec. 1-210(b)(3)A): 1 instance
Page 64 - "HIPAA" (HIPAA): 1 instance
Page 64 - "Identity of informant not otherwise known or witness not otherwise known." (Sec. 1-210(b)(3)A): 4 instances
Page 65 - "Identity of informant not otherwise known or witness not otherwise known." (Sec. 1-210(b)(3)A): 2 instances
Page 69 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 3 instances
Page 70 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 2 instances
Page 80 - "Personal Information" (CGS Sec. 42-471): 1 instance

Officer Joseph Cruz: Issue # 1 Use of Force:

5

Officer Joseph Cruz stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out by Officer Mazzacco. The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Officer Joseph Cruz was reasonable and based on the facts known to Officer Joseph Cruz at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Members of service with the Bridgeport Police Department are required to complete 14 hours of Use of Force Training as part of the basic training curriculum. The training instructional goal of Police Officer Standards Training Council {POST} curriculum states "this course will review legal authorization and constitutional limitations of use of force in performing law enforcement functions".

This force will focus on Constitutional areas, and Supreme Court Cases are identified. The 4th, 8th, and 14th amendments and clearly established laws as it pertains to the "Use Of Force". Specifically, Connecticut General Statute 53a-22 that govern/law enforcement Use of Force, House Bill 7103 Public Act No. 15-4 (An Act Concerning Excessive Use of Force) and the Supreme court case of Tennessee v Garner and Graham v Connor. These areas of the law force curriculum are discussed at length in the Tactical Analysis portion of this investigation.

II. Tactical Analysis:

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Officer Joseph Cruz found himself on October 21, 2017 ultimately developed into a chaotic scene. The scene reconstruction has proven challenging due to the inability to obtain access to the scene without the cooperation of the home owners and the Unusual Occurrence which was reported on the same night to the Office of Internal Affairs.

Officer Cruz further stated that he observed a thin Hispanic male (Mr. Ramon Davila) following Officer Faroni, who was "jumping around and acting erratic, so I stopped him" (*Page 6, Lines 260,1*). Officer Cruz went on to state that he Mr. Davila if he was involved in this to which Mr. Davila responded, "No, I'm just trying to leave, I'm just trying to leave" (*Page 7, Lines 294-5*). Officer Cruz continued on stating that he escorted Mr. Davila back into the rear yard where he inquired of Officer Mazzacco as to Mr. Davila's involvement. Officer Cruz furthered that Officer Mazzacco replied yes, and to arrest Mr. Davila, at which time Officer Cruz attempted to place Mr. Davila under arrest.

Officer Cruz stated that Mr. Davila again attempted to leave, so he "did a leg sweep and "I took him to the ground." (*Page 7, line 306-308*)

In examining the Use of Force in this instance under the requirements of Connecticut General Statute Section 53a-22 a determination must be made as to a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense.

A determination must also be made as to whether the force used complied with the requirements of *Graham v. Connor* as to be objectively reasonable. First, how serious was the offense that the officer suspected at the time the officer used force? Officer Cruz in his statement indicates Officer Cruz stated that Mr. Davila tried to leave and when told he was under arrest, again attempted to leave, so he "did a leg sweep and "I took him to the ground." (Page 7, line 306-308)

Based on the video Mr. Davila did not appear to attempt to leave when told he was under arrest.

Second, did the suspect pose a threat to the officer or any other person present. Officer Cruz added that Mr. Davila did not try to assault him, nor did he resist. Officer Cruz furthered that he and Officer Mirtsopoulos handcuffed Mr. Davila, stood him up and escorted him to a nearby patrol car, without incident.

Third, was the suspect actively resisting or attempting to evade arrest by flight. In reference to the 3rd prong of *Graham v. Connor* based on all information reviewed by this investigator the suspect's actions were not of someone resisting or attempting to evade arrest. In a thorough review and examination, it is difficult at best to see at any point during the captured incident when Officer Cruz deescalated or made efforts to temper.

In examining the incident and reviewing the video, taking into consideration if and when Mr. Davila submitted or succumbed to the officer, this investigator has reviewed efforts made to temper the severity of the force response. Officer Cruz has proffered that his leg sweep to Mr. Davila was to stop him from leaving.

The Bridgeport Police Department Policy pertaining to the Use of force by a sworn police officer is identified as 3.7.1 Use of Force. Section 3.7.1 Use of force of the Bridgeport Police Department Policy and Procedures is provided in the opening of this report. In addition, this incident lies within the **Three Factors Rule**: As outlined by *Graham v. Connor*.

1. How serious was the offense that the officer suspected at the time that the officer used force? The more serious the offense, the greater the need for apprehension, thus, the greater level of force that may be required.
2. Did the suspect pose a threat to the officer or any other person present?
3. Was the suspect actively resisting or attempting to evade arrest by flight.

Enclosed is the L.O.C.K.U.P. Police Department Training Arrest and Control Manuel. During the L.O.C.K.U.P. lessons students are advised of the deadly force area (Totality of the circumstances) Four targets if struck could be considered to be potentially lethal (Eyes, Throat, Side of Neck Vagus Nerve and Temple).

Exhibit #5a Authority is Case Law which consist of *Graham v. Connor*, *Kingsley v. Hendrickson*, *Tennessee v. Garner* and House Bill No. 7103 Public Act No. 15-4.

This office, as well as any reasonable person could logically conclude that officer Joseph Cruz was in violation of Department Policy 1.1.7.4 Use of force.

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), this particular video captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017.

Officer Cruz stated that the party that he took into custody was following Officer Faroni, jumping around and acting erratic as Officer Faroni was wheeling Mr. Peter Diaz out of the driveway (*Page 6, Lines 256-61*). The video displays Officer Faroni departing the driveway of 316 Colorado Avenue with Mr. Diaz, and no one was following him (*316 Colorado Ave Berke USB/ ch07-20171021-222410-223244-102000000000, Time 10:28:14*). Additionally, the video footage shows that Mr. Davila was in the rear yard of 316 Colorado Avenue video-taping the events as they unfolded, with a cell phone, and in no way interfered with officers that were on scene (*316 Colorado Ave Berke USB/ch0620171021-221251-222942-101000000000, Time 10:28:11*). The video footage also shows Mr. Davila moving out of police officers' way as they moved about the property (*Mr. Mendez Cell Phone Extraction/20171021_222728, Time 01:10*). Lastly, the video shows that as Mr. Fernando Morales was being walked out of the property, Mr. Davila followed, but did so from a distance and was not jumping around or acting erratic (*316 Colorado Ave Berke USB/ch06-020171021-221251-222942-101000000000, Time 10:28:20*).

Officer Cruz stated that Mr. Davila attempted to leave after Officer Mazzacco ordered his arrest, so he "did a leg sweep and took Mr. Davila to the ground (*Page 7, lines 307-8*). The video displays Mr. Davila making no such attempt to leave after Officer Cruz presented him to Officer Mazzacco. The video shows that Officer Cruz was holding onto Davila's shirt, and his left hand grabbed Mr. Davila's left hand, physically turning Mr. Davila around and throwing him to the ground (*316 Colorado Ave Berke USB/ch06-020171021-221251-222942-101000000000, Time 10:28:43-10:28:49*). Officer Cruz also stated that after he and Officer Mirtsopoulos handcuffed Mr. Davila, they stood him up and walked him to a nearby patrol car. Officer Cruz went so far as to give a car number "Blue 13" (*Page 8, Lines 346-7*). Officer Cruz also stated that Mr. Davila gave him no problems while he was walking him to the car. (*Page 9, Lines 369-71*). Officer Cruz stated that he and Officer Mirtsopoulos placed Mr. Davila into the car (*Page 9, Lines 365-7*). Officer Cruz additionally stated that when they arrived at the car, Mr. Davila gave no problems (*Page 9, Lines 373-5*). Officer Cruz also stated that Mr. Davila entered the vehicle on his own (*Page 9, Lines 377-9*). The video, however, shows that Officer Mirtsopoulos walks Mr. Davila out of 316 Colorado Avenue alone (*316 Colorado Ave Berke USB/ ch07-20171021-222410-223244-102000000000, Time 10:30:05-10:30:45*).

Officer Cruz stated that during the process of placing, Mr. Davila under arrest, he overheard something about a gun, over his right shoulder, and he believes he observed Officer Adam Szepe and other officers with a party with a gun. Officer Cruz also stated that he looked briefly but did observe that the party (Mr. Carmelo Mendez) "was resisting and they took him down to the ground" (*Page 11, Lines 451-2*). The video, however, shows that Officer Cruz, after dealing with Mr. Davila, rose to his feet and walked further into the rear yard (*Mr. Mendez Cell Phone Extraction/20171021_222728, Time 02:57*). When Mr. Mendez was taken to the ground, Officer Cruz just turned his back and took a few steps toward the front,

however, worked his way toward where Mr. Mendez was taken down to the ground (316 Colorado Ave Berke USB/ch0620171021-221251-222942-101000000000, Time 10:29:24-10:29:42).

Officer Cruz stated that he did not pull his Taser that evening (Page 17, Lines 758-60). The video, however, shows that Officer Cruz, during the arrest of Mr. Carmelo Mendez, indeed pulled his Taser out, bent over at the waist – apparently ready to deploy it against Mr. Mendez, then quickly re-holster it as other officer got in his way (316 Colorado Ave Berke USB/ch0620171021-222942-224634-101000000000, Time 10:29:44-10:29:47). Officer Cruz stated that he does not recall having walked near or around the officers that were arresting Mr. Mendez (Page 19, Lines 830-33, Page 20, Lines 870-3). The video, however, clearly shows Officer Cruz, after nearly deploying his Taser in Mendez arrest, walks around the group of officers involved in the arrest, at times watching the arrest process, and finally out of camera view towards the rear yard (316 Colorado Ave Berke USB/ch0620171021-222942-224634-101000000000, Time 10:29:44-10:30:12).

Conclusion:

Based on documentation, reports, videos and statements obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Joseph Cruz violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

1.1.7.4 USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from apply the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

2. Officer Joseph Cruz

Issue # 2 Truthfulness:

Upon order of the Chief of Police, the Chief's designee or a superior officer, Officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be constructed to mean that officers must divulge the names of informants.

Application of Standards:

As for the sustained violation policy of truthfulness levied against Officer Joseph Cruz in his sworn statement to this investigator Officer Cruz stated the following. That he observed a thin Hispanic male (Mr. Ramon Davila) following Officer Faroni, who was "jumping around and acting erratic, so I stopped him" (*Page 6, Lines 260,1*). Officer Cruz went on to state that he asked Mr. Davila if he was involved in this to which Mr. Davila responded, "No, I'm just trying to leave, I'm just trying to leave" (*Page 7, Lines 294-5*). Officer Cruz continued on stating that he escorted Mr. Davila back into the rear yard where he inquired of Officer Mazzacco as to Mr. Davila's involvement. Officer Cruz furthered that Officer Mazzacco replied yes, and to arrest Mr. Davila, at which time Officer Cruz attempted to place Mr. Davila under arrest. Officer Cruz stated that Mr. Davila again attempted to leave, so he "did a leg sweep and "I took him to the ground." (*Page 7, line 306-308*)

During his statement Officer Cruz was asked, that during the process of placing, Mr. Davila under arrest, he overheard something about a gun, over his right shoulder, and he believes he observed Officer Adam Szeps and other officers with a party with a gun. Officer Cruz also stated that he looked briefly but did observe that the party (Mr. Carmelo Mendez) "was resisting and they took him down to the ground" (*Page 11, Lines 451-2*).

Summary of Surveillance Videos Relative to Officer Cruz's Actions

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were several inconsistencies that were discovered relative the statement provided by Officer Cruz.

Officer Cruz stated that the party that he took into custody was following Officer Faroni, jumping around and acting erratic as Officer Faroni was wheeling Mr. Peter Diaz out of the driveway (*Page 6, Lines 256-61*). The video displays Officer Faroni departing the driveway of 316 Colorado Avenue with Mr. Diaz, and no one was following him (*316 Colorado Ave Berke USB/ ch07-20171021-222410-223244-102000000000, Time 10:28:14*). Additionally, the video footage shows that Mr. Davila was in the rear yard of 316 Colorado Avenue video-taping the events as they unfolded, with a cell phone, and in no way interfered with officers that were on scene (*316 Colorado Ave Berke USB/ch0620171021-221251-222942-101000000000, Time 10:28:11*). The video footage also shows Mr. Davila moving out of police officers' way as they moved about the property (*Mr. Mendez Cell Phone Extraction/20171021_222728, Time 01:10*). Lastly, the video shows that as Mr. Fernando Morales was being walked out of the property, Mr. Davila followed, but did so from a distance and was not jumping around or acting erratic (*316 Colorado Ave Berke USB/ch06-020171021-221251-222942-101000000000, Time 10:28:20*).

Officer Cruz stated that Mr. Davila attempted to leave after Officer Mazzacco ordered his arrest, so he "did a leg sweep and took Mr. Davila to the ground (*Page 7, lines 307-8*). The video displays Mr. Davila making no such attempt to leave after Officer Cruz presented him to Officer Mazzacco. The video shows that Officer Cruz was holding onto Davila's shirt, and his left hand grabbed Mr. Davila's left hand, physically turning Mr. Davila around and throwing him to the ground (*316 Colorado Ave Berke*

USB/ch06-020171021-221251-222942-101000000000, Time 10:28:43-10:28:49). Officer Cruz also stated that after he and Officer Mirtsopoulos handcuffed Mr. Davila, they stood him up and walked him to a nearby patrol car. Officer Cruz went so far as to give a car number "Blue 13" (Page 8, Lines 346-7). Officer Cruz also stated that Mr. Davila gave him no problems while he was walking him to the car. (Page 9, Lines 369-71). Officer Cruz stated that he and Officer Mirtsopoulos placed Mr. Davila into the car (Page 9, Lines 365-7). Officer Cruz additionally stated that when they arrived at the car, Mr. Davila gave no problems (Page 9, Lines 373-5). Officer Cruz also stated that Mr. Davila entered the vehicle on his own (Page 9, Lines 377-9). The video, however, shows that Officer Mirtsopoulos walks Mr. Davila out of 316 Colorado Avenue alone (316 Colorado Ave Berke USB/ ch07-20171021-222410-223244-102000000000, Time 10:30:05-10:30:45).

Officer Cruz stated that during the process of placing, Mr. Davila under arrest, he overheard something about a gun, over his right shoulder, and he believes he observed Officer Adam Szepe and other officers with a party with a gun. Officer Cruz also stated that he looked briefly but did observe that the party (Mr. Carmelo Mendez) "was resisting and they took him down to the ground" (Page 11, Lines 451-2). The video, however, shows that Officer Cruz, after dealing with Mr. Davila, rose to his feet and walked further into the rear yard (Mr. Mendez Cell Phone Extraction/20171021_222728, Time 02:57). When Mr. Mendez was taken to the ground, Officer Cruz just turned his back and took a few steps toward the front, however, worked his way toward where Mr. Mendez was taken down to the ground (316 Colorado Ave Berke USB/ch0620171021-221251-222942-101000000000, Time 10:29:24-10:29:42).

Officer Cruz stated that he did not pull his Taser that evening (Page 17, Lines 758-60). The video, however, shows that Officer Cruz, during the arrest of Mr. Carmelo Mendez, indeed pulled his Taser out, bent over at the waist – apparently ready to deploy it against Mr. Mendez, then quickly re-holster it as other officer got in his way (316 Colorado Ave Berke USB/ch0620171021-222942-224634-101000000000, Time 10:29:44-10:29:47). Officer Cruz stated that he does not recall having walked near or around the officers that were arresting Mr. Mendez (Page 19, Lines 830-33, Page 20, Lines 870-3). The video, however, clearly shows Officer Cruz, after nearly deploying his Taser in Mendez arrest, walks around the group of officers involved in the arrest, at times watching the arrest process, and finally out of camera view towards the rear yard (316 Colorado Ave Berke USB/ch0620171021-222942-224634-101000000000, Time 10:29:44-10:30:12).

Conclusion:

Officer Cruz, trusted by the Department and community was less than credible in his testimony beginning with the initial investigation and statements. Compounded when compared with the evidence produced by the video.

The evidence and testimony support the above violations of the Bridgeport Police Department Rules and Regulations brought forward by this undersigned investigator, but most conclusively 1.3.38 (*Truthfulness*).

Officer Joseph Cruz

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1 Use of Force

3.7.1.1 Definitions

1. Officer Adam Szeps Issue # 1 Truthfulness:

6

Officer Adam Szeps stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene needing help. The issue presented to the Office of Internal Affairs is upon the appearance of Officer Adam Szeps was his Untruthfulness not only in his incident report, but also during his interview which is contradictory to the video, the citizens complaint and recorded sworn statement by Mr. Carmelo Mendez that was provided to this office.

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.38 Truthfulness Upon order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be construed to mean that officers must divulge the names of informants.

1.1.6 Appendix A - Oath of Office I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God. I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport. I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.6 Integrity A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.34 Departmental Reports / Official Correspondence 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto. 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information. 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink. 4) Department reports or forms

should be signed using first full name, middle initial and surname. 5) Corrections on Department records should be made by drawing an ink line through the incorrect information. Enter the correction immediately above and initial the change. 6) No member of the Department shall enter into official Departmental correspondence over the member's signature except in accordance with the administrative orders of the Chief of Police. 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

In his incident report, Officer Szeps explained that as he approached Mendez he told him that he was under arrest and for him to place his hands behind his back. Officer Szeps related that as he reached out to take control of Mendez right arm he swung his arm back and said, "get the fuck off me!" Officer Szeps reported that he took Mendez to the ground due to his level of violence which combined with his intoxication was now an Officer safety issue.

During his interview, Officer Szeps expressed that Carmelo Mendez caught his attention because he was yelling and swearing and indicated that when Officer Hugo Stern told him that it was time to go, he observed Officer Stern placed his arm under Carmelo Mendez's elbow and Mr. Mendez told them, "Fuckin' cops. Fuck you." Officer Szeps believed that when Mr. Mendez thrust his arm up away from Officer Stern, he thought that it was an attempt to strike him.

Officer Szeps claimed that when he stepped in, he told Carmelo Mendez, "Now it's time to go. You're under arrest. Come here", and that Mr. Mendez replied by saying, "No. Fuck you." Officer Szeps also contended that when he went to put his arms on Carmelo Mendez he pulled away from him and he reacted by immediately bringing Carmelo Mendez to the ground.

Upon reviewing the video footage provided by Carmelo Mendez from his cell phone, which captures the moment Officer Stern makes contact with him to the moment he is brought to the ground, at no time was Carmelo Mendez yelling or swearing at the officers. Once Officer Stern makes contact with him, Carmelo Mendez tells Officer Stern not to touch him. Officer Stern does tell him several times to "Let's Go" and that the party is over.

At no point in time before Officer Szeps makes contact with Carmelo Mendez does he swing his arms out and tell him, "Get the Fuck off me" or does Officer Szeps tell him that he is under arrest or to put his hands behind his back. Furthermore, Carmelo Mendez is not heard saying in the video, "Fuckin' cops. Fuck you" to him or anyone else as claimed by Officer Szeps. The video does show Officer Szeps tell Carmelo Mendez that he "is going" at which time Carmelo Mendez is brought to the ground and the camera goes blurry. Based on all documentation, reports, video, and signed sworn statements, Officer Adam Szeps report and statement are contradictory to what the video shows and what actually occurred regarding this incident. Additionally, Officer Szeps was aware of this information and engaged in the inaccurate reporting of this incident which beyond a doubt is inconsistent with his true observation, violating policies **1.3.34 Departmental Reports / Official Correspondence / 1.3.38 Truthfulness.**

These actions by Officer Szeps undercut Public Confidence, as well as, his inherent duty to be impartial. Having determined that Officer Szeps violated the Department Rules of 1.3.34 and 1.3.38, based on factual information additionally substantiates a basis for being in violation of Department Rules **1.1.7.6 Integrity / 1.1.6 Appendix A - Oath of Office / 1.1.7 Law Enforcement Code of Ethics.**

After careful review of all paperwork, documents and information made available from the initial stages of this investigation to its conclusion, this office has substantiated Officer Szeps to have violated policy ***1.3.21 Unbecoming Conduct.***

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Adam Szeps violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

2. Officer Adam Szeps

Issue # 2 Failure to Provide Medical Attention:

Officer Adam Szeps stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene needing help. The issue presented to the Office of Internal affairs specifically concerning Officer Adam Szeps is that as the arresting Officer of Carmelo Mendez, who was clearly injured as a result of such arrest, is if his failure to provide medical attention was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance of the Duties of a Police Officer A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

1.3.12 Incompetence An Officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following but is not limited to: 1. A lack of knowledge of the application of laws that are required to be enforced 2. An unwillingness or inability to perform assigned tasks. 3. A failure to conform to work standards established for the officer's rank, grade or position. 4. Repeated poor evaluations or repeated infractions of the rules and regulations.

3.7.3.9.3 Physically Injured or Ill Prisoners Prisoners requiring immediate medical treatment will be transported from the scene to the hospital via ambulance or police cruiser depending upon the seriousness of the injury.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

In his incident report, Officer Szeps noted that after the weapon was seized from Carmelo Mendez he continued to resist heavily and that he struck Carmelo Mendez multiple times in the back in an attempt to roll him onto his stomach and apply handcuffs to end the situation.

During his interview, Officer Szeps indicated that in the fight to get Carmelo Mendez contained, he hit him multiple times in the back and at least twice in the face to get control of his arms. Officer Szeps stated that he had not observed any injuries on Carmelo Mendez prior to being placed under arrest, however, he revealed that he observed dried blood above his eye before placing him in the Police vehicle. Officer Szeps stated that he did not see any swelling on Mr. Mendez nor did he complain of any injuries and acknowledged that the arrest of Carmelo Mendez was his arrest.

The sworn statement provided by Officer Szeps appeared to be a contradiction to the sworn statement provided by Officer Daniel O'Brien who was one of the last officers to arrive on scene. Officer O'Brien in his statement stated among other things that when he arrived on scene he observed one prisoner in someone's car. He did not know who it was, but that he appeared to have a cut across his forehead and someone had said a weapon had been recovered. (Page 3, line 107-109)

Officer O'Brien stated there was officers everywhere and there were people everywhere on both sides of the street. He said he saw one person in custody and he had a cut on his forehead and he believed it was Officer Szeps that had a firearm that had been recovered but he did not know the facts and circumstances of that. (Page 4, line 175-178)

Officer O'Brien stated Officer Szeps was telling, he believes Officer Stern that the firearm had been recovered. (Page 5, line 190-192)

Officer O'Brien stated the one party he saw in custody with a cut on his forehead in the back of a vehicle was stating something to the effect that he dropped his cell phone. Officer O'Brien stated he guessed he was the one that had the firearms. (Page 8, line 317-320)

Based on the statement provided by Officer O'Brien and knowing based on the video from 316 Colorado Avenue where Mr. Mendez dropped his cell phone while being taken in to custody, and the injuries sustained by Mr. Mendez during this incident it appears Officer O'Brien is talking about Mr. Carmelo Mendez who is in fact the only individual that received the injury described.

Also, being that Officer O'Brien describing himself as possibly being that last unit to arrive on scene and immediately observing the injuries to Mr. Mendez, it is difficult to believe that Officer Szeps who assisted picking up Mr. Mendez from the ground and escorted him to the Police vehicle did not see the injuries sustained by Mr. Mendez.

The sworn statement provided by Officer Szeps appeared to be a contradiction to the sworn statement provided by Officer Andrew Christie who was also one of the last officers to arrive on scene. Officer Christie in his statement stated among other things that he described the scene upon his arrival as slightly chaotic, but it appeared as if everything was coming to an end, and the officers appeared to be safe. Officer Christie stated that he believes that he was the last car to arrive. Officer Christie continued, stating that he saw and spoke with Officer Stern, who had a prisoner in his car. Officer Christie also stated that he recognized the prisoner in Officer Stern's car as someone that he had a previous call for service with.

Officer Christie stated that he could observe that the party in Officer Stern's vehicle he recognized from a previous call, was visibly injured and was bleeding from a cut on his forehead. (Page 12, line 496-520)

Based on the statement provided by Officer Christie and knowing based on the video from 316 Colorado Avenue where Mr. Mendez sustained his injuries during this incident it appears Officer Christie is talking about Mr. Carmelo Mendez who is in fact the only individual that received the injury described.

Also, being that Officer Christie also describing himself as possibly being that last unit to arrive on scene and immediately observing the injuries to Mr. Mendez, it is difficult to believe that Officer Szeps who assisted picking up Mr. Mendez from the ground and escorted him to the Police vehicle did not see the injuries sustained by Mr. Mendez.

Applicable Standards:

It should be noted that Carmelo Mendez suffered significant injuries to the left of his temple area which later caused him to collapse while at Booking. The injuries were clearly visible when Carmelo Mendez is brought to Booking which should have been treated immediately. Based on all documentation, reports, and signed sworn statements Carmelo Mendez clearly required medical attention and should have been transported to the Hospital from the scene, Officer Szeps is in violation of policies: **3.7.3.9.3 Physically Injured or Ill Prisoners / 1.3.4 Knowledge of Department Rules and Regulations / 1.3.5 Violation of Rules / 1.3.6 Conformance to Rules/Regulations**

The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice. Therefore, this office has substantiated Officer Szeps to have violated policies **1.1.7.1 Primary Responsibilities of a Police Officer / 1.1.7.2 Performance of the Duties of a Police Officer.**

Having determined that Officer Szeps violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of **1.3.12 Incompetence.** By failure to provide medical attention to Carmelo Mendez, Officer Szeps failed to maintain competency to perform his duty and to assume the responsibility of his position.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and thorough review, it is concluded that Officer Adam Szeps violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

Officer Adam Szepts:

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.3.9.3 Physically Injured or Ill Prisoners

1. Detective Kenneth Fortes

Issue # 1 Truthfulness:

7

Detective Kenneth Fortes stated that on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 (Officer Needs Assistance) was called out by units on scene needing help. The issue presented to the Office of Internal Affairs is upon the appearance of Detective Kenneth Fortes is his "Untruthfulness" not only in his incident report, but also during his interview.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.1.6 Appendix A - Oath of Office I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God. I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport. I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance of the Duties of a Police Officer A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.6 Integrity A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.38 Truthfulness Upon order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be construed to mean that officers must divulge the names of informants.

Application of Standards:

As for the sustained violation policy of truthfulness levied against Detective Kenneth Fortes is his documentation in his incident report that, "That the officers had his arms and back and were rapidly losing control of him as he struggled, and the entire group was heading towards him, and his knees, as he was walking to the backyard." According to Detective Fortes, it was then that he heard the suspect say, "***Damn right I've got a gun!***" Later in his incident report, Detective Fortes states that while he was on the ground, he heard an officer yell, "He's got a gun!"

During his sworn statement to this investigator, Detective Fortes stated during the interview that when Carmelo Mendez was standing and before he was taken to the ground, he heard him saying, "***Damn right. I got a gun.***" (Fortes 819-820) Detective Fortes also confirms in his interview that he heard an officer yelling, "He's got a gun" after the mentioned statement was made.

By reviewing this video footage provided by Carmelo Mendez at no time before he is taken to the ground does Carmelo Mendez at any time say, "Damn right. I got a gun." This is also not documented or reported by any other officer that had direct involvement in the incident involving Carmelo Mendez. The Office of Internal Affairs acknowledges that based on the information and documentation obtained relating to Detective Kenneth Fortes incident report and sworn statement, as well as a careful and thorough review of the video evidence obtained to this point, this office as well as any reasonable person could logically conclude that Detective Kenneth Fortes willfully and knowingly violated Department policies: ***This is violation of 1.3.38 Truthfulness.***

Additionally, Detective Fortes was aware of this information and engaged in the inaccurate reporting of this incident which beyond a doubt is inconsistent with his true facts of the incident, thus violating policies ***1.1.6 Appendix A – Oath of Office / 1.1.7 Law Enforcement Code of Ethics / 1.1.7.6 Integrity***

These actions by Detective Kenneth Fortes undercut Public Confidence, as well as, his inherent duty to be impartial. Having determined that Detective Fortes violated the Department Rules of ***1.3.38, 1.1.7.6 and 1.1.7***, based on factual information additionally substantiates a basis for being in violation of Department Rules ***1.1.7.1 Primary Responsibilities of a Police Officer / 1.1.7.2 Performance of the duties of a Policier***

After careful review of all paperwork, documents and information made available from the initial stages of this investigation to its conclusion, this office has substantiated Detective Kenneth Fortes to have violated policy ***1.3.21 Unbecoming conduct.***

Conclusion:

The Office of Internal Affairs concludes the following information to be factual based on information that was corroborated and found to be true, accurate and credible. Detective Kenneth Fortes, an experienced Police Officer, trusted by the Department and community was less than credible in his testimony beginning with the initial investigation and it is compounded when compared with the report and statement provided by him during the investigation.

2. Detective Kenneth Fortes

Issue # 2 Reporting:

Detective Kenneth Fortes stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 (Officer needs assistance) was called out by units on scene needing help. The issue presented to the Office of Internal affairs specifically concerning Detective Kenneth Fortes is whether his reporting duties as a result of his Use of Force used with Carmelo Mendez was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.34 Departmental Reports / Official Correspondence 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto. 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information. 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink. 4) Department reports or forms should be signed using first full name, middle initial and surname. 5) Corrections on Department records should be made by drawing an ink line through the incorrect information. Enter the correction immediately above and initial the change. 6) No member of the Department shall enter into official Departmental correspondence over the member's signature except in accordance with the administrative orders of the Chief of Police. 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

1.3.12 Incompetence An Officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following but is not limited to: 1. A lack of knowledge of the application of laws that are required to be enforced 2. An unwillingness or inability to perform assigned tasks. 3. A failure to conform to work standards established for the officer's rank, grade or position. 4. Repeated poor evaluations or repeated infractions of the rules and regulations.

Report

Dr. James Nardoizzi, former Assistant Chief of Police for the City of Bridgeport authored the following report which was implemented to all sworn members regarding the Use of force.

1. If you use force in your capacity as a sworn member of the Bridgeport Police Department, a use of force investigation must be commenced by a Bridgeport Police supervisor and a Use of force Report completed;
2. It does not matter if you were on-or off duty when you used force in your capacity as a sworn member of the Bridgeport Police Department;
3. Your current assignment, post, rank, or membership on a local, state, or federal task force at the time force was used does not alleviate the requirements of a use of force investigation being conducted by a Bridgeport police supervisor and the completion of a Bridgeport Police Department Use of force Report.
4. If you use force in your capacity as a sworn member of the Bridgeport Police Department outside of our jurisdiction, i.e. you make an out of town arrest involving force, a Bridgeport Police supervisor needs to conduct a use of force investigation and a Bridgeport Police Department Use of Force Report must be completed.

This information does not supersede our current Use of Force policy, it is simply meant to clarify questions and concerns that have risen up thru the chain of command.

Any further questions should be directed to your immediate supervisor.

Departmental Memos:

DEPARTMENTAL MEMO BRIDGEPORT POLICE DEPARTMENT 15-0006

TO: ALL COMMANDS
FROM: CHIEF JOSEPH L. GAUDET, JR
RE: USE OF FORCE REPORTS
DATE: FEBRUARY 4, 2015

Pursuant to the Police Officers Standards and Training Council General Notice 14-02, The Bridgeport Police Department has adopted the State of Connecticut's Police Officer Standards and Training Council's Model Use of Force Report, effective immediately.

The Use of Force Report as outlined in Policy, 3.7.1. and the Department's O.C. Spray reporting form shall no longer be used.

All Uses of Force including O.C. Spray, Conducted Electrical Weapons (TASER) etc. shall be recorded on the newly adopted form.

The form has been made available on the "J" Drive as well as Booking and Day Room computers. The Form is labeled "Use of Force Report-CT". In addition, a copy of the newly adopted form is attached to this memorandum. Discontinue any use of the old Use of Force forms.

Supervisors shall insure compliance with this directive.

The use of the newly adopted form in no way changes officers or supervisor's responsibility as it pertains to reporting and investigative requirements in instances where force has been used.

All Department members shall comply with the following:

3.7.1.17 Situations Requiring A Use of Force Report: The Use of Force Report procedure will be completed whether or not an arrest is made and under the following circumstances (a sample Use of Force Report is available in § 3.7.1.25 below): 1) When any officer purposely strikes either with body parts (feet, hands, knees) or striking instrument, any person during the performance of the officer's duties. 2) When scuffling or grappling with an arrestee or person under lawful detention and using any degree of force or physical restraint greater than the mere guiding, holding or handcuffing of someone. 3) When an officer causes an injury or there is a complaint of injury from a person as a result of any physical confrontation. 4) When an officer uses the authorized Departmentally issued chemical irritant spray, A Use of OC Form must be completed. (Note: An entire Use of Force Report is not necessary under these circumstances.)

Memo

DEPARTMENTAL MEMO BRIDGEPORT POLICE DEPARTMENT 17-0113

TO: ALL COMMANDS

FROM: CHIEF AMANDO J. PEREZ

RE: New Use of Force Forms (Supervisors)

DATE: February 23, 2017

The Department has updated the **Supervisory Use of Force Cover Report**. This Cover Sheet will be utilized as the cover page to all Use of Force packages throughout the department. This form has been placed on the J: Drive in the **Dept Forms** folder under the **Patrol** subfolder.

The investigation guide will no longer be submitted with the use of force package. This form has been placed on the J: Drive in the **Dept Forms** folder under the **Use of Force** subfolder.

Supervisors will respond to all situations requiring use of force, investigate the use of force on scene, ensuring medical attention is received and taking photos of any injuries. Supervisors will document this on page three of the State Use of Force report under the **Patrol Supervisor** section and check the appropriate box and fill out the mandatory comments section.

The UOF Package shall consist of the following:

1. Three-page State UOF form with Supervisor Comments (3.7.1.21)
2. Incident reports, supplemental reports
3. EDW download (3.7.2.5) & (3.7.2.6)
4. Pictures of Injuries (3.7.1.19)
5. Supervisory Use of Force Cover Report

The UOF Package shall be forwarded to the Lieutenant within 24 hours
{Attached is the Supervisory Use of Force Cover Report and the State of Connecticut – Police Officer Standards and Training Council Use of Force report}.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Detective Fortes related that during the arrest of Carmelo Mendez he seized Officer Bobby Hernandez's baton, extended it, and placed it in between the suspect's arm and his body, and used it to pry and control the suspects left arm as per his training received in L.O.C.K.U.P. techniques. Detective Fortes believed that his control maneuvers were affective in gaining control of the suspect.

According to Detective Fortes, once Carmelo Mendez was handcuffed he returned the baton to Officer Hernandez, he stayed on scene in case his assistance was needed. Based on all documentation, reports, video, and signed sworn statements and since Detective Kenneth Fortes used a degree of force or physical restraint that was greater than the mere guiding, holding or handcuffing of someone, it was his duty to complete a Use of Force report in a timely fashion so that Sergeant Delgado could be in compliance with "*Memo # 17-0113.*" The memo requires sergeants to turn in their Use of Force package within twenty-four hours to their Lieutenant. On the contrary, Detective Kenneth Fortes did not complete his Use of Force report regarding this incident until 10/25/18 which is 4 days after incident. In addition, Detective Fortes is not only a Use of Force instructor, but also an Use of Less Lethal Force Instructor in the use of baton whom should have known that his actions required documentation per the department's policy.

The Office of Internal Affairs acknowledges that based on the information and documentation obtained relating to Detective Kenneth Fortes sworn statement, as well as a careful and thorough review of the video evidence obtained to this point, this office as well as any reasonable person could logically conclude that Detective Kenneth Fortes willfully and knowingly violated Department policies: *1.3.34 Department Reports / Official Correspondence*, and *3.7.1.17 Situations Requiring A Use of Force Report*:

All indications of material evidence, statements, reports and documentation clearly further substantiate a violation of *1.3.4 Knowledge of Department Rules and Regulations / 1.3.5 Violation of Rules / 1.3.6 Conformance to Rules/Regulations*

Having determined that Detective Fortes violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of *1.3.12 Incompetence*. By his failure to complete a Use of Force package for the incident on time, Detective Fortes failed to maintain competency to perform his duty and to assume the responsibility of his position.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Detective Kenneth Fortes violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

Detective Kenneth Fortes:

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1.17 Situations Requiring A Use of Force Report

1. Lieutenant Robert Sapiro: Issue # 1 Failure to Supervise/Failure to Act

On October 21, 2017 Lieutenant Robert Sapiro was the only Lieutenant on duty assigned to "C" shift patrol and therefore he was the Officer in Charge for the City. The issue presented to the Office of Internal Affairs is whether Lieutenant Sapiro adequately commanded his staff. Lieutenant Sapiro made a conscious decision to refrain from providing direction and leadership to officers engaged in acting outside of department policy and procedures.

Application Standards:

1.3.3.4 OFFICER IN CHARGE

The ranking officer on-duty in any division, bureau, or unit is defined as the officer in charge. The responsibilities and powers of the same as those of commanding officers. While officers in charge will refrain from setting policy, they will ensure that the policies and orders of commanding officers are followed and obeyed.

1.2.21 SUPERVISOR ACCOUNTABILITY All supervisory personnel shall be held accountable for the performance of employees under their immediate control.

1.3.3.5 SUPERVISING OFFICER A supervising officer is one who, through rank or appointment, is responsible for the actions of one or more subordinates. Supervising officers personally observe the work and actions of those subordinates for whom they are responsible and react accordingly to the needs of commendation, training or correction.

Application of Standards:

Lieutenant Sapiro stated that he did not know what Sergeant Scillia's function was at 316 Colorado Avenue, nor did he see any supervisors engaged in any activity while there. Lieutenant Sapiro also stated that he is not aware if any photographs were taken of the injured parties, nor did he know if they were interviewed separately or not.

Lieutenant Sapiro was seen entering the incident location and as officers took Mr. Mendez to the ground and instead of taking control of the incident, he chose to turn his back and not intervene. Lieutenant Sapiro in his statement stated he had a conversation with Sergeant Waehler and Sergeant Scillia after the incident but cannot recall what was said. Lieutenant Sapiro was on scene when Mr. Mendez was taken down and arrested by officers and sustained injuries to his head and face, stated he did not observe injuries to Mr. Mendez until he arrived in Booking.

Based on the video from 316 Colorado Avenue (video name: 10-21-17 316 Colorado Avenue Berke USB Ch.06) captured Lieutenant Sapiro walking onto the property at 10:29:46 and he looks three times at the officers taking Mr. Mendez into custody on the ground to his left. Lieutenant Sapiro continues to walk further into the rear yard out of view of the video camera turning his back to the incident, completely ignoring what is taking place with the officers and Mr. Mendez. Lieutenant Sapiro is again seen on video returning from the rear yard back into the view of the camera at 10:31:20. At this time multiple officers had already exited the property to include Mr. Mendez who sustained serious injuries to his head while being taken into custody.

When questioned about a conversation with Sergeant Delgado in Booking, Lieutenant Sapiro stated that he does not remember making any type of motion with his fist that resembled punching towards the air, nor did he remember talking to Sergeant Delgado about any specific actions by any officer.

Lieutenant Sapiro stated that he did speak with Officer Szeps in the report writing room probably with respect to the gun but could not remember the details of the conversation.

Conclusion:

Based on all documentation and reports obtained during the course of the investigation and after careful and through review, it is concluded that Lieutenant Robert Sapiro violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Lieutenant Robert Sapiro

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.2.18 Authority and Responsibility

1.2.21 Supervisor Accountability

1.3.3.4 Officer in Charge

1.3.3.5 Supervising Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1. Sergeant Mark Belinkie: Issue # 1 Failure to Supervise

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On October 21, 2017 Sergeant Mark Belinkie was the on duty Booking Sergeant assigned to "C" shift Booking. The issue presented to the Office of Internal Affairs is whether Sergeant Mark Belinkie adequately commanded Booking, properly reported this incident to his supervisor and or violated Policies/Procedures set forth within the Bridgeport Police Department.

Applicable Standards:

1.2.21 Supervisor Accountability

All supervisory personnel shall be held accountable for the performance of employees under their immediate control.

1.3.3.5 Supervising Officer

A supervising officer is one who, through rank or appointment, is responsible for the actions of one of more subordinates. Supervising officers personally observe the work and actions of those subordinates for whom they are responsible and react accordingly to the needs of commendation, training or correction.

Application of Standards:

Sergeant Belinkie observed that the prisoner was now being dragged up the Booking ramp by his shirt towards the door. Sergeant Belinkie stopped the Officer and questioned him as to why he was dragging the prisoner. The Officer responded that the prisoner refused to get out of the car. Sergeant Belinkie stated he told the Officer "by doing this you know and you be aware you're going to have write what you are doing and that you have to have a good reason." (Page 9, line 391-397) Sergeant Belinkie then instructed the Officer to stop and stand the prisoner up at which time the prisoner, who stated he had pins in his leg, hopped into Booking on one leg. Sergeant Belinkie informed the Officer that a written report would be required explaining the dragging incident.

It is established that Sergeant Belinkie was the on-duty Sergeant in Booking who has the responsibilities to render medical attention to injured prisoners. Sergeant Belinkie observed that a prisoner was being dragged up the Booking ramp. Sergeant Belinkie told the Officer you're going to have write what you are doing and have a good reason for dragging a prisoner up the ramp. Only after being told by the prisoner he had pins in his leg Sergeant Belinkie instructed the Officer to stop, stand the prisoner up and allowed the prisoner to hop into Booking on one leg.

Sergeant Belinkie did not wait for proper relief from the sergeant on the next shift before ending his shift. Sergeant Belinkie did not adequately notify his Commanding Officer relative to the interactions with a handcuffed prisoner. Sergeant Belinkie is therefore in direct violation of Department Policy 1.2.21 Supervisor Accountability, and 1.3.3.5 Supervising Officer.

Sergeant Belinkie chose to transfer his authority to Sergeant Paul Scillia who at the time Sergeant Belinkie assumed was on scene in Booking. Note: Sergeant Scillia was directly involved in the incident at 316 Colorado Avenue.

Knowing this incident was an unusual occurrence Sergeant Belinkie failed to notify his commander, the Office of Internal Affairs or the Chief of Police. Sergeant Belinkie failed to adequately supervise officers at Booking.

Conclusion:

Based on all documentation and reports obtained during the course of the investigation and after careful and through review, it is concluded that Sergeant Mark Belinkie violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Sergeant Mark Belinkie

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.2.18 Authority and Responsibility

1.2.21 Supervisor Accountability

1.3.3.5 Supervising Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.9 Neglect of Duty

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.29 Public Contact

3.8.2 Policy Holding Facility

2. Sergeant Mark Belinkie: Issue # 2 Failure to Render Medical Attention

On October 21, 2017 Sergeant Mark Belinkie was the on duty Booking Sergeant assigned to "C" shift Booking. The issue presented to the Office of Internal Affairs is whether Sergeant Mark Belinkie adequately commanded Booking, properly reported this incident to his supervisor and or violated Policies/Procedures set forth within the Bridgeport Police Department.

Applicable Standards:

3.7.3.9.3 Physically Injured or Ill Prisoners requiring immediate medical treatment will be transported from the scene to the hospital via ambulance or police cruiser depending upon the seriousness of the injury.

Application of Standards:

Sergeant Belinkie observed that the prisoner was now being dragged up the Booking ramp by his shirt towards the door. Sergeant Belinkie stopped the Officer and questioned him as to why he was dragging the prisoner. The Officer responded that the prisoner refused to get out of the car. Sergeant Belinkie then instructed the Officer to stop and stand the prisoner up at which time the prisoner, who stated he had pins in his leg, hopped into Booking on one leg.

It is established that Sergeant Belinkie was the on-duty sergeant in Booking who has the responsibilities to render medical attention to injured prisoners. Sergeant Belinkie observed that a prisoner was being dragged up the Booking ramp. Only after being told by the prisoner he had pins in his leg Sergeant Belinkie instructed the Officer to stop, stand the prisoner up and allowed the prisoner to hop into Booking on one leg.

Sergeant Belinkie failed to notify his commander, the Office of Internal Affairs or the Chief of Police. Sergeant Belinkie failed to assure the injured prisoner received proper medical attention.

Conclusion:

Based on all documentation and reports obtained during the course of the investigation and after careful and through review, it is concluded that Sergeant Mark Belinkie violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Sergeant Mark Belinkie

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.2.18 Authority and Responsibility

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.7 Conformance to Laws

1.3.12 Incompetence

1.3.44 Other Prohibited Conduct

3.7.3.9.3 Physically Injured or Ill Prisoners

1. Detention Officer Jose Figueroa: Issue # 1 Use of Force:

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Detention Officer Figueroa stated on October 21, 2017 when he arrived to work, Booking was in an uproar. Detention Officer Figueroa stated he went to assist with another prisoner transport to the hospital which was in cell #7 by the name of Peter Diaz who had an injured leg. He stated he took him out and sat him in a chair and said, "I gotta try to put these leg irons on your legs." Detention Officer Figueroa stated Peter Diaz looked at him and said, "Why don't you just wrap that chain around your wife's pussy?" (*Page 8, line 39-41*) The issue presented to the Office of Internal Affairs is whether the amount of force in this incident applied by Detention Officer Figueroa was reasonable and based on the facts known to Detention Officer Figueroa at the time of the occurrence and within clearly established policies/procedures, and legal standards; or was the force applied outside of these parameters and thereby excessive given the circumstance.

Applicable Standards:

Civilian Detention Officers with the Bridgeport Police Department receive specialized training in the operation and control of the Holding Facility. Policy 3.8.7 Civilian Detention Officers-Use of Force.

II. Tactical Analysis:

The conclusions reached in this report have been based on the totality of the investigation and the Bridgeport Police Department Policy and Procedure. The incident wherein Detention Officer Jose Figueroa found himself on October 21, 2017 ultimately developed into a disorderly scene.

Detention Officer Figueroa said he had contact with Peter Diaz, the gentleman with injured leg, up at cell #7 when he attempted to place leg shackles on him. Detention Officer Figueroa stated Peter Diaz looked at him and said, "Why don't you just wrap that chain around your wife's pussy?" Detention Officer Figueroa stated that kind of upset him and he tapped Mr. Diaz in his chest with his finger and said "Listen, I'm (Yvette)'s cousin, you need to fuckin chill."

Connecticut General Statute Section Sec. 53a-19 In examining the Use of Force in this instance under the requirements of the Bridgeport Police Department Policy and Procedure Manual, Section 3.8.7

1. Civilian Detention Officers-Use of Force, a determination must first determine if the force used to control the arrestee was applied in order to protect his/herself or a third person from physical injury.

Detention Officer Figueroa was asked in his statement if he used any force on Mr. Diaz and he stated he tapped Mr. Diaz in his chest with his finger.

Based on the video (View/camera of cell # 7 and 6 Detention Officer Figueroa appears to become upset and with his right hand appears to tap/poke Mr. Diaz in the chest while Mr. Diaz is strapped to a medic's stair chair.

Second, did the suspect pose a threat to the officer or any other person present. Detention Officer Figueroa conveyed Mr. Diaz was being jerk.

2. A subsequent determination must be made as to whether the Civilian Detention Officer brought the Use of Force immediately to the attention of the Holding Facility Supervisor.

In examining the incident and reviewing the video, taking into consideration if and when Mr. Diaz submitted or succumbed to the officer, this investigator has reviewed efforts made to temper the severity of the force response. Detention Officer Figueroa has proffered he was upset with Mr. Diaz, and he pointed and poked at Peter Diaz's chest and said "Listen, I'm (Yvette)'s cousin, you need to fuckin chill." Detention Officer Figueroa stated he then went around to the opposite side, because he knew his son was there, and he told Peter's son, "Why don't you tell your dad just to chill, because he's just being an asshole right Now" and Detention Officer Figueroa walked away.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Videos obtained, (video name: 10-21-17 Booking Cell # 7 & #6), this particular video captured several different views in the male Booking cells during the incident on October 21, 2017. The views/cameras were named Booking Cell # 7 & #6. The following is a summary of what was captured relative to the conduct of Detention Officer Figueroa.

(View/camera cells #7 and cell #6 Detention Officer Figueroa in front of cell #7 attempting to place the leg shackles on Mr. Figueroa.

(View/camera cells #7 and cell #6 Detention Officer Figueroa appears to become upset with Mr. Diaz. Detention Officer Figueroa appears to yell at Mr. Diaz while poking him in the chest with his finger with enough force to push Mr. Diaz back into the chair.

(View/camera cells #7 and cell #6 Detention Officer Figueroa appears to place a shackle on Mr. Diaz's right leg and then walk away.

Sec. 53a-19. Use of physical force in defense of person.

(a) Except as provided in subsections (b) and (c) of this section, a person is justified in using reasonable physical force upon another person to defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force, and he may use such degree of force which he reasonably believes to be necessary for such purpose; except that deadly physical force may not be used unless the actor reasonably believes that such other person is (1) using or about to use deadly physical force, or (2) inflicting or about to inflict great bodily harm.

(b) Notwithstanding the provisions of subsection (a) of this section, a person is not justified in using deadly physical force upon another person if he knows that he can avoid the necessity of using such force with complete safety (1) by retreating, except that the actor shall not be required to retreat if he is in his dwelling, as defined in section 53a-100, or place of work and was not the initial aggressor, or if he is a peace officer or a private person assisting such peace officer at his direction, and acting pursuant to section 53a-22, or (2) by surrendering possession of property to a person asserting a claim of right thereto, or (3) by complying with a demand that he abstain from performing an act which he is not obliged to perform.

(c) Notwithstanding the provisions of subsection (a) of this section, a person is not justified in using physical force when (1) with intent to cause physical injury or death to another person, he provokes the use of physical force by such other person, or (2) he is the initial aggressor, except that his use of physical force upon another person under such circumstances is justifiable if he withdraws from the encounter and effectively communicates to such other person his intent to do so, but such other person notwithstanding continues or threatens the use of physical force, or (3) the physical force involved was the product of a combat by agreement not specifically authorized by law.

3.8.7 CIVILIAN DETENTION OFFICERS-USE OF FORCE

- 1) Civilian Detention Officers shall use only the minimum amount of force necessary to control the arrestee in order to protect his/her self or a third person from physical injury.
- 2) Any incident involving the use of force by a Civilian Detention Officer against an arrestee shall be brought to the immediate attention of the Holding Facility Supervisor.
- 3) The Holding Facility Supervisor shall document the incident in writing and render a conclusion as to the appropriateness of the use of force by the Detention Officer. These reports shall be forwarded to the Deputy Chief in Charge of Uniformed Services.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful review, it is concluded that Detention Officer Paul Humphrey violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Detention Officer Jose Figueroa

3.8.7 Civilian Detention Officers-Use of Force

1. Officer Douglas Bepko Issue # 1 Truthfulness:

Upon order of the Chief of Police, the Chief's designee or a superior officer, Officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be constructed to mean that officers must divulge the names of informants.

Application of Standards:

As for the sustained violation policy of truthfulness levied against Officer Douglas Bepko in his sworn statement to this investigator while on scene, he observed Officer Thomas Lattanzio and Officer Todd Sherback handcuffing an older male (Mr. Alvarado). Officer Bepko relates that the party was civil and that both Officer Lattanzio and Officer Sherback were professional. Officer Bepko articulates that he was only on scene for a few minutes and that, *"I walked in. I looked around. And when I was leavin' I, saw Sherback. I said, I'm out of here."* Officer Bepko reveals that he heard about a situation involving a firearm and that someone had a gun on them. According to Officer Bepko, he heard about the incident after it had already happened. Officer Bepko contends that he did not see any officer go hands on with anybody from the party while he was on scene. According to Officer Bepko, everybody (civilians) were videotaping the incident at the time and that he did not talk or have any contact with any of them.

According to Officer Bepko, while on scene he did not observe anyone being assaulted, or any officers strike anyone, or any party resisting and that he only observed officers walking people to their cars. Officer Bepko added that he did not feel in any immediate danger and did not have to assist in any crowd control because there was no crowd.

Concerning Booking, Officer Bepko disclosed that he knew Mr. Peter Diaz as one of the parties that was arrested. Officer Bepko states that he knew him for about 20 years. Officer Bepko states that he was in Booking only for a few minutes and that he did not witness any altercations or disturbances. When asked if he had observed an altercation between Officer Lattanzio and another prisoner, Officer Bepko stated, *"No"*, and that he was gone by that time. Officer Bepko later claims that he was in the back when the incident occurred. Officer Bepko explained that he had heard about someone spitting on Officer Lattanzio. (Page 16, line 679-706)

Officer Bepko stated that in report writing area there were several Officers writing reports and talking about the incident. Officer Bepko stated that he only remembered Officer Lattanzio in the report writing room typing his report.

This however was not factual; On video collected from scene a viewer can see Officer Bepko in the backyard and stand right next to Officer Thomas Lattanzio and Officer Todd Sherback as they are handcuffing Mr. Jose Alvarado. Note that Officer Bepko is standing only a few inches away from Mr. Alvarado. As Mr. Alvarado is being handcuffed, Officer Lattanzio strikes him twice in the back of the neck area and then walks him to the front of the house and Officer Bepko walks to the rear towards the deck area. **(Please see Officer Lattanzio's Investigative Summary)**

Officer Bepko contends that while he was on scene, he did not see any of the officer's strike anyone, but it is clearly shown that Officer Bepko had a clear view of Officer Lattanzio striking Mr. Alvarado and failed to disclose this during his interview.

Officer Bepko revealed during his interview that he heard about a situation involving a firearm and that someone had a gun on them. According to Officer Bepko, he heard about the incident after it had already happened. (Page 8, line 349-356) When Mr. Carmelo Mendez is taken to the ground by Officer Adam Szeps, Officer Bepko is standing right behind him. At this point, there is an unidentified female who is standing next to Officer Bepko's left videotaping the incident. Officer Bepko sees this and jumps right in front of her to prevent her from videotaping. The female moves away and Officer Bepko again goes in front of her. Officer Bepko then turns his back to the officers who are dealing with Mr. Mendez for a few seconds and sees that the female is still videotaping the incident. This time Officer Bepko shines his flashlight directly in the lens of the camera to block her from videotaping.

House Bill No. 7103

June Special Session,

Public Act No. 15-4 AN ACT CONCERNING EXCESSIVE USE OF FORCE.

(Page 11, Sec. 9. (b)) An employer of a peace officer who interferes with any person taking a photographic or digital still or video image of such peace officer or another peace officer acting in the performance of such peace officer's duties shall be liable to such person in an action at law, suit in equity or other proper proceeding for redress.

Officer Bepko then starts to walk away towards the front of the house, however, he stops for a few seconds and looks directly at the officers who are dealing with Mr. Mendez and then walks back out to the front of the house.

While standing at the Booking desk Officer Bepko is seen talking to Mr. Diaz at which point Mr. Diaz brushes Officer Lattanzio's arm causing him to push Mr. Diaz. Note that Officer Bepko is looking directly at Officer Lattanzio and Mr. Diaz when this occurs. When asked during his interview if he had observed an altercation between Officer Lattanzio and another prisoner, Officer Bepko stated, "No", and that he was gone by that time. (Page 16, line 679-690)

Officer Bepko then goes to the Booking desk to open the door for another prisoner that is coming in. While Officer Bepko is standing in the Booking desk, Officer Lattanzio is arguing with Mr. Diaz as he is processing Mr. Alvarado.

Officer Bepko walks in to the report writing area where there are several officers and they all start talking. Note that there is no audio in the report writing room.

While in the report writing room, Officer Bepko points to the right side of his temple as he is talking to Sergeant Paul Scillia and Officer Ryan Mullenax and has his fingers shaped in the form of a circle. Officer Bepko repeats this motion again a few seconds later, but only this time taps his temple with his fingers shaped in a circle several times to the right side of his temple.

Officer Lattanzio is in the report writing area and is observed typing his report. Note that Mr. Mendez is the only suspect that has injuries consistent with what Officer Bepko is describing. Officer Bepko then walks back to the photo area at and sits down in a chair.

Sergeant Delgado walks to the photo area where Officer Bepko is sitting and points to his lip. Lieutenant Sapiro is also in the photo area. Officer Bepko again motions to this temple as he is talking to Officer Todd Sherback.

Conclusion:

Officer Bepko, an experienced Police Officer, trusted by the Department and community was less than credible in his testimony beginning with the initial investigation and statements. Compounded when compared with the evidence produced by the video.

The evidence and testimony support the above violations of the Bridgeport Police Department Rules and Regulations brought forward by this undersigned investigator, but most conclusively 1.3.38 (*Truthfulness*).

Officer Douglas Bepko

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.38 Truthfulness

1. Officer Todd Sherback: Issue # 1 Public Contact:

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On Wednesday November 8, 2017 Officer Todd Sherback came into the Office of Internal affairs located at 999 Broad Street to give his recorded interview to the undersigned investigator. The issue presented to the Office of Internal Affairs is regarding public contact concerning Officer Todd Sherback.

Applicable Standards:

1.3.29 Public Contact

- 1) Members of the Department shall answer telephones promptly and state in a courteous manner their command and rank or title and surname.
- 2) Members of the Department shall give all proper information to persons requesting the same in a courteous and accurate manner, avoiding all unnecessary conversation or controversy. Officers shall give their name and badge number to any person who requests the information.
- 3) Officers working in plain clothes shall promptly identify themselves when necessity arises. At the scene of an emergency where it is desirable to display the badge continuously, the badge shall be attached to the outer-most garment over the left breast.
- 4) Uniform officers shall not recognize a member in plain clothes unless first addressed by the plain clothes member of the Department.
- 5) Avoid conflict with Department policy when lecturing, giving speeches, or submitting articles for publication. Questions concerning fees received will be resolved by the commanding officer.
- 6) While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. *While on-duty members of the Department shall exercise courtesy toward all persons.*
- 7) Members of the Department shall not congregate in public places, businesses or places of amusement while on-duty unless the exigencies of service require it.

Application of Standards:

Officer Todd Sherback who responded to 316 Colorado Avenue to assist officers on October 21, 2017 and writes in his official Department Supplemental Report, "It was at this time that Officer McLaughlin order Morales to get on the ground or he would be tazered." After several commands by Officer McLaughlin to get on the ground Morales complied where he was then handcuffed from behind and double locked for safety without further incident. Morales was then escorted by Officer Stanitis to a marked patrol car in the front of this address while I remained in the rear of this location for the safety of other officers who were dealing with many other unruly attendees of the party". Subsequently, Officer Sherback while providing this office with a statement failed to indicate that while placing Mr. Morales

under arrest, Mr. Morales stated, "Fuck you" to Officer Sherback who in turn stated "Fuck you" back at Mr. Morales. ***1.3.29 Public Contact (video 28. 316 Colorado Avenue clips)***

The Office of Internal Affairs concludes the following information to be factual based on information that was corroborated and found to be true, accurate and credible.

Additionally, Officer Sherback was aware of this information and engaged in the inaccurate reporting of this incident which beyond a doubt is inconsistent with his true observations, violating policies 1.1.7 Law Enforcement Code of Ethics and 1.1.7.6 Integrity.

These actions by Officer Sherback undercut Public Confidence, as well as, his inherent duty to be impartial. Having determined that Officer Sherback violated the Department Rules of 1.3.29, 1.3.38, 1.1.7 and 1.1.7.6, based on factual information additionally substantiates a basis for being in violation of Department Rules 1.1.7.1 Primary Responsibilities of a Police Officer, 1.1.7.2 Performance of the duties of a Police Officer 1.3.4, Knowledge of Department rules and Regulations, and 1.3.5 Violation of rules.

After careful review of all paperwork, documents and information made available from the initial stages of this investigation to its conclusion, this office has substantiated Officer Sherback to have violated policy 1.3.6 Conformance to rules/Regulations and hereby through either unwillingness or failure to conform clearly violated policy 1.3.12 Incompetence and 1.3.21 Unbecoming conduct.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful review, it is concluded that Officer Todd Sherback violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Officer Todd Sherback

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.29 Public Contact

1. Officer Joseph Pires

Issue # 1 Truthfulness:

13

Officer Joseph Pires stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene needing help. The issue presented to the Office of Internal Affairs is upon the appearance of Officer Joseph Pires he was less than truthful not only in his incident report, but also during his interview which is contradictory to the video that was provided to this office.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.38 Truthfulness Upon order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be construed to mean that officers must divulge the names of informants.

1.1.6 Appendix A - Oath of Office I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God. I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.
I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance of the Duties of a Police Officer A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.6 Integrity A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts,

presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

In his incident report, Officer Pires documented that while on scene at 316 Colorado Avenue, he heard the sound of a car engine revving up and then observed a blue ford pickup truck swerving around police vehicles that had their emergency lights activated. Officer Pires explains that the pickup truck accelerated towards the officers who were standing outside this location, including him, ***"had to move quickly out of the way of the vehicle in order to avoid being struck."*** (Page 10, line 411-413)

During his interview, Officer Pires also stated that while still on scene he heard the sound of an engine revving and then observed a truck picking up speed and swerving around the police vehicles which had their lights activated and making his way up towards the street. Officer Pires related that ***"he along with several other officers had to jump out the way of this vehicle"*** and that they were signaling the vehicle with their flashlights and yelling at the driver to stop.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017. By reviewing the video footage which was provided under Channel 7, At 10:38:40 Officer Pires is standing in the street behind a parked vehicle right in front of the driveway of 316 Colorado Avenue, while Sergeant Stacey Lyons is speaking with Sergeant Jeffrey Long who standing in the street next to the driver side rear of a parked car a few feet from Officer Pires. The viewer can then see the pick-up truck traveling North on Colorado Avenue at a high rate of speed which nearly hits Sergeant Lyons and Sergeant Long who are hugging each other.

Officer Pires indicates in his report as well as his statement that he, as well multiple officers, had to move out of the way of the vehicle to avoid being hit, however, he was standing in the street at the time and neither did he or Sergeant Lyons or Sergeant Long have to jump out of the way of the truck as stated. In fact, Sergeant Lyons does not observe the vehicle right until it is close to her and Sergeant Long has his back to the pick-up truck because Sergeant Long is hugging her and there are no other officers around. In addition, Officer Pires states that the pick-up truck had to swerve around the police vehicles which had their emergency lights activated. In the video a viewer can see that there are several police vehicles with their police lights on to the South of the house on Colorado Avenue, however, when Officer Pires first sees the pick-up truck it has already passed the police vehicles. In the video, a viewer cannot see the pick-up truck swerving around the vehicle. Unfortunately, Channel 3 which would have caught the arrest of Jose Rosario does not work.

Based on all documentation, reports, video, and signed sworn statements, Officer Joseph Pires report and statement are contradictory to what the video shows and what actually occurred regarding this incident. Additionally, Officer Pires was aware of this information and engaged in the inaccurate reporting of this incident which beyond a doubt is inconsistent with his true observations, violating policies **1.3.38 Truthfulness / 1.1.7.6 Integrity / 1.1.6 Appendix A - Oath of Office / 1.1.7 Law Enforcement Code of Ethics**.

These actions by Officer Pires undercut Public Confidence, as well as, his inherent duty to be impartial. Having determined that Officer Pires violated the Department Rules of 1.3.38, 1.1.7.6 and 1.1.7, based on factual information additionally substantiates a basis for being in violation of Department Rules **1.1.7.1 Primary Responsibilities of a Police Officer / 1.1.7.2 Performance of the duties of a Police Officer**

After careful review of all paperwork, documents and information made available from the initial stages of this investigation to its conclusion, this office has substantiated Officer Pires to have violated policy **1.3.21 Unbecoming conduct**.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Joseph Pires violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

2. Officer Joseph Pires Issue # 2 Reporting:

Officer Joseph Pires stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene needing help. The issue presented to the Office of Internal affairs specifically concerning Officer Joseph Pires is whether Officer Joseph Pires reporting duties as a result of his Use of Force used with Jose Rosario was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.34 Departmental Reports / Official Correspondence 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto. 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information. 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink. 4) Department reports or forms should be signed using first full name, middle initial and surname. 5) Corrections on Department records should be made by drawing an ink line through the incorrect information. Enter the correction immediately above and initial the change. 6) No member of the Department shall enter into official Departmental correspondence over the member's signature except in accordance with the administrative orders of the Chief of Police. 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

1.3.12 Incompetence An Officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following but is not limited to: 1. A lack of knowledge of the application of laws that are required to be enforced 2. An unwillingness or inability to perform assigned tasks. 3. A failure to conform to work standards established for the officer's rank, grade or position. 4. Repeated poor evaluations or repeated infractions of the rules and regulations.

Report

Dr. James Nardozzi, former Assistant Chief of Police for the City of Bridgeport authored the following report which was implemented to all sworn members regarding the Use of force.

5. If you use force in your capacity as a sworn member of the Bridgeport Police Department, a use of force investigation must be commenced by a Bridgeport Police supervisor and a Use of force Report completed;
6. It does not matter if you were on-or off duty when you used force in your capacity as a sworn member of the Bridgeport Police Department;
7. Your current assignment, post, rank, or membership on a local, state, or federal task force at the time force was used does not alleviate the requirements of a use of force investigation being conducted by a Bridgeport police supervisor and the completion of a Bridgeport Police Department Use of force Report.
8. If you use force in your capacity as a sworn member of the Bridgeport Police Department outside of our jurisdiction, i.e. you make an out of town arrest involving force, a Bridgeport Police supervisor needs to conduct a use of force investigation and a Bridgeport Police Department Use of Force Report must be completed.

This information does not supersede our current Use of Force policy, it is simply meant to clarify questions and concerns that have risen up thru the chain of command.

Any further questions should be directed to your immediate supervisor.

Departmental Memos:

DEPARTMENTAL MEMO BRIDGEPORT POLICE DEPARTMENT 15-0006

TO: ALL COMMANDS
FROM: CHIEF JOSEPH L. GAUDET, JR
RE: USE OF FORCE REPORTS
DATE: FEBRUARY 4, 2015

Pursuant to the Police Officers Standards and Training Council General Notice 14-02, The Bridgeport Police Department has adopted the State of Connecticut's Police Officer Standards and Training Council's Model Use of Force Report, effective immediately.

The Use of Force Report as outlined in Policy, 3.7.1. and the Department's O.C. Spray reporting form shall no longer be used.

All Uses of Force including O.C. Spray, Conducted Electrical Weapons (TASER) etc. shall be recorded on the newly adopted form.

The form has been made available on the "J" Drive as well as Booking and Day Room computers. The Form is labeled "Use of Force Report-CT". In addition, a copy of the newly adopted form is attached to this memorandum. Discontinue any use of the old Use of Force forms.

Supervisors shall insure compliance with this directive.

The use of the newly adopted form in no way changes officers or supervisor's responsibility as it pertains to reporting and investigative requirements in instances where force has been used.

All Department members shall comply with the following:

3.7.1.17 Situations Requiring A Use of Force Report: The Use of Force Report procedure will be completed whether or not an arrest is made and under the following circumstances (a sample Use of Force Report is available in § 3.7.1.25 below): 1) When any officer purposely strikes either with body parts (feet, hands, knees) or striking instrument, any person during the performance of the officer's duties. 2) When scuffling or grappling with an arrestee or person under lawful detention and using any degree of force or physical restraint greater than the mere guiding, holding or handcuffing of someone. 3) When an officer causes an injury or there is a complaint of injury from a person as a result of any physical confrontation. 4) When an officer uses the authorized Departmentally issued chemical irritant spray, A Use of OC Form must be completed. (Note: An entire Use of Force Report is not necessary under these circumstances.)

Memo

DEPARTMENTAL MEMO BRIDGEPORT POLICE DEPARTMENT 17-0113

TO: ALL COMMANDS

FROM: CHIEF AMANDO J. PEREZ

RE: New Use of Force Forms (Supervisors)

DATE: February 23, 2017

The Department has updated the **Supervisory Use of Force Cover Report**. This Cover Sheet will be utilized as the cover page to all Use of Force packages throughout the department. This form has been placed on the J: Drive in the **Dept Forms** folder under the **Patrol** subfolder.

The investigation guide will no longer be submitted with the use of force package. This form has been placed on the J: Drive in the **Dept Forms** folder under the **Use of Force** subfolder.

Supervisors will respond to all situations requiring use of force, investigate the use of force on scene, ensuring medical attention is received and taking photos of any injuries. Supervisors will document this on page three of the State Use of Force report under the **Patrol Supervisor** section and check the appropriate box and fill out the mandatory comments section.

The UOF Package shall consist of the following:

6. Three-page State UOF form with Supervisor Comments (3.7.1.21)
7. Incident reports, supplemental reports
8. EDW download (3.7.2.5) & (3.7.2.6)
9. Pictures of Injuries (3.7.1.19)

10. Supervisory Use of Force Cover Report

The UOF Package shall be forwarded to the Lieutenant within 24 hours
{Attached is the Supervisory Use Of Force Cover Report and the State of Connecticut – Police Officer Standards and Training Council Use of Force report}.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

In his incident report, Officer Pires documented that he observed Rosario repeatedly reach down to his right side as he was ordered repeatedly to place his hands on the steering wheel. Officer Pires indicated that he opened the driver's side door and grabbed Rosario's left arm to remove him from the vehicle. Officer Pires documents that Rosario resisted getting out and that he had to forcibly remove Rosario and secure his left wrist and upper arm and order him to place his chest against the vehicle. Officer Pires documented that he secured Rosario in handcuffs and placed him in the rear of Officer Mathew Johnson's vehicle and was later transported to booking.

During his interview, Officer Pires stated that he observed the driver moving around the vehicle. According to Officer Pires, the driver Mr. Jose Rosario, was ordered to keep his hands on the steering wheel and that he could see him constantly reaching down to his right side. Officer Pires states that he ordered Mr. Rosario out of the vehicle and he was non-compliant. Officer Pires continues that he then opened the driver's side door and ordered him out of the vehicle again, however, Mr. Rosario did not comply. Officer Pires states that he then grabbed him by his left arm and removed him from the vehicle and placed him against the police vehicle that was right next to them and placed him in handcuffs.

Officer Pires notes that he was the only one that removed Mr. Rosario from the vehicle and that there were other officers nearby but because it was a tight space between the vehicle, there was only room for himself and nobody else was able to get in there. Unfortunately, Channel 3 from the video footage provided by Attorney Burke, which would have caught the incident does not work.

Based on all documentation, reports, and signed sworn statements and since Officer Joseph Pires used a degree of force or physical restraint was greater than the mere guiding, holding or handcuffing of someone, it was his duty to complete an Use of Force the in a timely fashion so that Sergeant Delgado could in compliance with "*Memo # 17-0113.*" Which requires sergeants to turn in their Use of Force package within twenty-four hours to their Lieutenant. On the contrary, Officer Pires completed his Use of Force report regarding this incident until days later which was eventually signed by Sergeant Ivan Delgado on 10/31/17. Therefore, Officer Pires is in violation of policies: **1.3.34 Department Reports / Official Correspondence**, and **3.7.1.17 Situations Requiring A Use of Force Report:**

All indications of material evidence, statements, reports and documentation clearly further substantiate a violation of **1.3.4 Knowledge of Department Rules and Regulations / 1.3.5 Violation of Rules / 1.3.6 Conformance to Rules/Regulations**

Having determined that Officer Pires violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of **1.3.12 Incompetence**. By failure to complete an Use of Force package for the incident on time, Officer Pires failed to maintain competency to perform his duty and to assume the responsibility of his position.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Joseph Pires violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

Officer Joseph Pires:

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1.17 Situations Requiring A Use Of Force Report

1. Officer Mathew Johnson

Issue # 1 Reporting:

14

Officer Mathew Johnson stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because a 10-32 (Officer needs assistance) was called out by units on scene needing help. The issue presented to the Office of Internal affairs specifically concerning Officer Mathew Johnson is whether the two reports that were authored by him were within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.34 Departmental Reports / Official Correspondence 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto. 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information. 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink. 4) Department reports or forms should be signed using first full name, middle initial and surname. 5) Corrections on Department records should be made by drawing an ink line through the incorrect information. Enter the correction immediately above and initial the change. 6) No member of the Department shall enter into official Departmental correspondence over the member's signature except in accordance with the administrative orders of the Chief of Police. 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

1.3.28 Withholding Information Members of the Department shall not withhold information from their superior officers relating to police business for the purpose of personal advancement or for any other improper purposes.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Officer Johnson documented in his incident supplemental report #11021-297 (Exhibit Record #17) that suspect Deida was placed in handcuffs by Officer Natalie McLaughlin while he and Officer Mark Blackwell secured her hands as she attempted to resist arrest, ***“bracing herself and holding her hands apart in an attempt to allow officers to place handcuffs on her.”*** This report was dated 10/21/17 and was signed by Sergeant Jeffrey Long. On 10/22/17, Officer Mathew completed a second report which was signed by Sergeant Ivan Delgado in which he did not include the sentence, ***“bracing herself and holding her hands apart in an attempt to allow officers to place handcuffs on her.”***

According to Officer Johnson, he was asked by Officer McLaughlin to complete an addendum for his part in the arrest of Sara Deida and that his report was placed in the sergeant's window. The video from Jose Alvarado's cell phone shows that a commotion is heard and then several officers, including Officer Johnson, converge to the porch area.

The video then shows Officer Johnson, Officer Blackwell, and Officer McLaughlin attempting to arrest Sara Deida who has her hands behind her back and appears to be resisting. The video then turns away from the officers and shuts off a few seconds later. ***Note that Officer Johnson stated during his interview that Officer Blackwell attempted to arrest Sara Deida while she was actively resisting by holding her hands apart. Officer Blackwell secured one hand while Officer Johnson secured the other so that Officer McLaughlin could handcuff her***

The Office of Internal Affairs acknowledges that based on the information and documentation obtained relating to Officer Johnson's sworn statement, reports, as well as a careful and thorough review of the video evidence obtained to this point, this office as well as any reasonable person could logically conclude that Officer Johnson willfully and knowingly entered two reports for the same incident and attempted to alter his original report by removing the resistance by Sara Deida. Thus, Officer Johnson's actions clearly violate Department policies: ***1.3.34 Department Reports / Official Correspondence, 1.3.4 Knowledge of Department Rules and Regulations / 1.3.5 Violation of Rules / 1.3.6 Conformance to Rules/Regulations***

Having determined that Officer Johnson violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of ***1.3.28 Withholding Information.***

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and thorough review, it is concluded that Officer Mathew Johnson violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

Officer Mathew Johnson:

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.28 Withholding Information

1.3.34 Departmental Reports / Official Correspondence

1. Officer Linet Castillo-Jimenez

Issue # 1 Truthfulness:

15

Officer Linett Castillo-Jimenez stated that on October 21, 2017, she responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene needing help. The issue presented to the Office of Internal Affairs is upon the appearance of Officer Linett Castillo-Jimenez is her "Untruthfulness" not only in her incident report, but also during her interview.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.1.6 Appendix A - Oath of Office I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God. I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport. I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.2 Performance of the Duties of a Police Officer A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.6 Integrity A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.12 Incompetence An Officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following but is not limited to: 1. A lack of knowledge of the application of laws that are required to be enforced 2. An unwillingness or inability to perform assigned tasks. 3. A failure to conform to work standards established for the officer's rank, grade or position. 4. Repeated poor evaluations or repeated infractions of the rules and regulations.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.34 Departmental Reports / Official Correspondence 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto. 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information. 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink. 4) Department reports or forms should be signed using first full name, middle initial and surname. 5) Corrections on Department records should be made by drawing an ink line through the incorrect information. Enter the correction immediately above and initial the change. 6) No member of the Department shall enter into official Departmental correspondence over the member's signature except in accordance with the administrative orders of the Chief of Police. 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

1.3.38 Truthfulness Upon order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be construed to mean that officers must divulge the names of informants.

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

Application of Standards:

As for the sustained violation policy of truthfulness levied against Officer Linet Castillo-Jimenez in her sworn statement to this investigator she stated that she does not remember who the officers were that she assisted in escorting a male (Fernando Morales) to a patrol vehicle. Officer Castillo-Jimenez claimed that

she did not remember which Officers they were. Note that Officer Castillo-Jimenez is speaking about the incident involving the arrest of Fernando Morales which involved Officer Joseph Pires and Officer Michael Stanitis. Officer Pires documented this incident in both an incident report and a Use of Force report.

During the investigation, it was discovered that Castillo-Jimenez authored two reports for the same incident which were signed by two different sergeants. Report one: #11021-297, Officer Castillo-Jimenez writes, I, Officer L Castillo responded to 316 Colorado Avenue to assist units with a hostile house party. Upon arrival, a man, later identified as Morales, Fernando, was being escorted to a patrol vehicle by **Officer Stanitis and Officer Pires**. Morales was already handcuffed but became aggressive towards the Officers. I assisted in grabbing Morales and bringing him to the ground until he complied with the commands given. I used my hand to hold Morales down against the ground while commanding him to stay quiet. Morales was commanded to remain silent several times, but he continued yell "Fuck You! Suck my dick!" Morales was grabbed by the arms and placed in the back of the patrol vehicle. **(This report was signed by Officer Castillo-Jimenez and reviewed and signed by Sergeant Ivan Delgado)** (Exhibit Record #17)

Report Two: #11021-297, Officer Castillo-Jimenez writes, I, Officer L Castillo responded to 316 Colorado Avenue to assist units with a hostile house party. Upon arrival, a man, later identified as Morales, Fernando, was being escorted to a patrol vehicle by **Responding Officers**. Morales was already handcuffed but became aggressive towards the Officers **by pushing his body towards the Officers. Morales continue to resist by attempting to create distance between himself and the patrol vehicle.** I assisted in grabbing Morales and bringing him to the ground until he complied with the commands given. I used my hand to hold Morales down against the grown while commanding him to stay quiet. Morales was commanded to remain silent several times, but he continued yell "Fuck You! Suck my dick!" Morales was grabbed by the arms and placed in the back of the patrol vehicle. **(This report was signed by Officer Castillo-Jimenez and reviewed and signed by Sergeant Jeff Long)**

It should be noted that the discrepancy was discovered after Officer Castillo-Jimenez had been interviewed. In addition, the undersigned investigator cannot determine which report was written first since the reports are not time or date stamped and both have the date of 10/21/17. Additionally, both Sergeant Ivan Delgado and Sergeant Jeffrey Long were working at the night of the incident.

During her interview, Officer Castillo-Jimenez is also asked if she has worked with these officers before and her reply is, "I don't know." It is important to note that Officer Castillo-Jimenez and Officer Pires are classmates and both were hired on 02/29/16 and yet, she contends that she does not remember who the officers are. In addition, Officer Castillo-Jimenez was interviewed 8 days after the incident and still she claimed during her interview that she could remember who the officers were. ***This is violation of 1.3.38 Truthfulness / 1.3.28 Withholding Information.***

Additionally, Officer Castillo-Jimenez was aware of this information and engaged in the inaccurate reporting of this incident which beyond a doubt is inconsistent with her the true facts of the incident, thus violating policies ***1.1.6 Appendix A – Oath of Office / 1.1.7 Law Enforcement Code of Ethics / 1.1.7.6 Integrity / 1.3.34 Departmental Reports / Official Correspondence.***

These actions by Officer Castillo-Jimenez undercut Public Confidence, as well as, her inherent duty to be impartial. Having determined that Officer Castillo-Jimenez violated the Department Rules of ***1.3.34, 1.3.38, 1.1.7.6 and 1.1.7***, based on factual information additionally substantiates a basis for being in violation of Department Rules ***1.1.7.2 Performance of the duties of a Police Officer / 1.3.4 Knowledge of Department rules and Regulations / 1.3.5 Violation of rules.***

After careful review of all paperwork, documents and information made available from the initial stages of this investigation to its conclusion, this office has substantiated Officer Castillo-Jimenez to have violated policy *1.3.6 Conformance to rules/Regulations and hereby through either unwillingness or failure to conform clearly violated policy 1.3.12 Incompetence / 1.3.21 Unbecoming conduct.*

Conclusion:

The Office of Internal Affairs concludes the following information to be factual based on information that was corroborated and found to be true, accurate and credible. Officer Castillo-Jimenez, an experienced Police Officer, trusted by the Department and community was less than credible in her testimony beginning with the initial investigation and it is compounded when compared with the two reports and statements provided by her during the investigation.

Officer Linett Castillo-Jimenez

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

1. Detention Officer Paul Humphrey: Issue # 1 Public Contact:

16

On Friday October 27, 2017 Detention Officer Paul Humphrey came into the Office of Internal affairs located at 999 Broad Street to give his recorded interview to the undersigned investigator. The issue presented to the Office of Internal Affairs is regarding public contact concerning Detention Officer Paul Humphrey was his Untruthfulness.

Applicable Standards:

1.3.29 Public Contact

- 1) Members of the Department shall answer telephones promptly and state in a courteous manner their command and rank or title and surname.
- 2) Members of the Department shall give all proper information to persons requesting the same in a courteous and accurate manner, avoiding all unnecessary conversation or controversy. Officers shall give their name and badge number to any person who requests the information.
- 3) Officers working in plain clothes shall promptly identify themselves when necessity arises. At the scene of an emergency where it is desirable to display the badge continuously, the badge shall be attached to the outer-most garment over the left breast.
- 4) Uniform officers shall not recognize a member in plain clothes unless first addressed by the plain clothes member of the Department.
- 5) Avoid conflict with Department policy when lecturing, giving speeches, or submitting articles for publication. Questions concerning fees received will be resolved by the commanding officer.
- 6) While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. *While on-duty members of the Department shall exercise courtesy toward all persons.*
- 7) Members of the Department shall not congregate in public places, businesses or places of amusement while on-duty unless the exigencies of service require it.

Application of Standards:

Detention Officer Paul Humphrey who was assigned to Booking on October 21, 2017 while providing this office with a statement failed to indicate that while interacting with Mr. Fernando Morales in Booking Mr. Morales stated, "Fuck you" to Detention Officer Humphrey who in turn stated, "Fuck you" back at Mr. Morales.

3.8.2 Policy It is the policy of this Department to treat all arrested persons with humaneness and understanding. The safety of the arrestee and Department personnel is the paramount consideration. Arrestees shall be allowed to consult with counsel upon request and without exception. Their civil rights will be protected at all times and this protection shall be a continuing responsibility of this Department

while they remain in custody. They shall be afforded an opportunity to contact family and/or employer to apprise them of their situation.

The Office of Internal Affairs concludes the following information to be factual based on information that was corroborated and found to be true, accurate and credible.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful review, it is concluded that Detention Officer Paul Humphrey violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Detention Officer Paul Humphrey

1.3.29 Public Contact

3.8.2 Policy Holding Facility

1. Officer Natalie McLaughlin

Issue # 1 Truthfulness:

17

Officer Natalie McLaughlin stated on October 21, 2017, she was dispatched to respond to check two areas, the intersections of State Street and Colorado Avenue and Fairfield Avenue and Colorado Avenue on a report of a noise complaint. The issue presented to the Office of Internal Affairs is upon the appearance of Officer Natalie McLaughlin she was less than truthful in her incident report her sworn statement to the Office of Internal Affairs.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.38 Truthfulness Upon order of the Chief of Police, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Violation of this section may be grounds for dismissal. This policy shall not be construed to mean that officers must divulge the names of informants.

1.1.6 Appendix A - Oath of Office I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God. I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.

I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance of the Duties of a Police Officer A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.6 Integrity A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be

above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

In her incident report, file#171021-297 Officer McLaughlin documented among other things that while on scene at 316 Colorado Avenue, she observed a Hispanic male later identified as Mendez, Carmelo (S5), pull away from cover car Amber 21 Officer Hugo Stern when Officer Stern attempted to guide Carmelo off the property by placing his hand on his shoulder. Officer McLaughlin documented Carmelo refused to leave the property stating, "*fuck you I'm not going anywhere*". Carmelo was then guided by cover car Blue 15 Officer Adam Szeps to the ground where he attempted to place Carmelo in handcuffs.

During her interview, Officer McLaughlin was asked did she ever hear Carmelo Mendez say, this is my sister's property" and she stated that she did not. All she remembers him saying was "*He's not fucking going anywhere*" and to "*Get the fuck off of him*". Officer McLaughlin was then asked did she ever hear Carmelo Mendez scream, "They are hitting me" and she stated she didn't hear that.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017. By reviewing the video footage which was provided (Exhibit 28. 316 Colorado Avenue video clips) captured on Mr. Mendez's personal cell phone the incident prior to Mr. Mendez being taken down to the ground. In the footage prior to Mr. Mendez being taken down to the ground, at approximately the 13:08 mark of the video footage a viewer can see and hear Officer Hugo Stern state, "Let's go" and motion with his right-hand thumb pointing back over his shoulder toward the street. Then state "Parties over, let's go" but now Officer Stern is out of camera view being that he passed Mr. Mendez. At this point you hear Mr. Mendez state "Don't touch me." Then you hear Officer Stern again say, "Let's go." Mr. Mendez then stated, "This is my sister's house." An unidentified voice then says, "Let's go" and as Mr. Mendez again starts to say, "This is my sister's house" You hear who appears to be Officer Szeps who is out of the view of the camera state, "You're going." At this point, the 13:15 mark of the video footage Mr. Mendez's cell phone video appears to move violently and falls to the ground. At the 13:17 mark of the video footage you hear Mr. Mendez say "Oh, yo he just hit me!" At the 13:21 mark of the video footage you hear Officer Stern state, "He's got a gun he's got a gun!" Then the cell phone is turned off.

Note: At no time based on the video captured prior to Mr. Mendez being taken down to the ground did Mr. Mendez state, "*He's not fucking going anywhere*" and to "*Get the fuck off of him*".

In Officer McLaughlin's sworn statement, she stated she saw Officer (Stern), doing a motion and telling people it's time to go. Officer McLaughlin stated Officer Stern put his hand on one of the gentleman's

(Carmelo Mendez) shoulder to attempt to guide him out of the party and the gentleman swung after him and told him, "Get the fuck off me, I don't have to go anywhere, this is not your property." Officer McLaughlin stated then she saw officers take him down. (Page 28, line 1209-1221) and (Page 29, line 1262-1273).

Based on all documentation, reports, video, and signed sworn statements, Officer Natalie McLaughlin's report and statement are contradictory and inconsistent to what the video shows and what actually occurred regarding this incident, violating policies **1.3.38 Truthfulness / 1.1.7.6 Integrity / 1.1.6 Appendix A - Oath of Office / 1.1.7 Law Enforcement Code of Ethics.**

Having determined that Officer McLaughlin violated the Department Rules of 1.3.38, 1.1.7.6 and 1.1.7, based on factual information additionally substantiates a basis for being in violation of Department Rules **1.1.7.1 Primary Responsibilities of a Police Officer / 1.1.7.2 Performance of the duties of a Police Officer**

After careful review of all paperwork, documents and information made available from the initial stages of this investigation to its conclusion, this office has substantiated Officer McLaughlin to have violated policy **1.3.21 Unbecoming conduct.**

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Natalie McLaughlin violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

2. Officer Natalie McLaughlin

Issue # 2 Reporting:

Officer Natalie McLaughlin stated on October 21, 2017, she was dispatched to respond to check two areas, the intersections of State Street and Colorado Avenue and Fairfield Avenue and Colorado Avenue on a report of a noise complaint. The issue presented to the Office of Internal Affairs is upon whether the reporting duties of Officer Natalie McLaughlin was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.3.34 Departmental Reports / Official Correspondence 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto. 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information. 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink. 4) Department reports or forms should be signed using first full name, middle initial and surname. 5) Corrections on Department records should be made by drawing an ink line through the incorrect information. Enter the correction immediately above and initial the change. 6) No member of the Department shall enter into official Departmental correspondence over the member's signature except in accordance with the administrative orders of the Chief of Police. 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

1.3.12 Incompetence An Officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following but is not limited to: 1. A lack of knowledge of the application of laws that are required to be enforced 2. An unwillingness or inability to perform assigned tasks. 3. A failure to conform to work standards established for the officer's rank, grade or position. 4. Repeated poor evaluations or repeated infractions of the rules and regulations.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

In her incident report, file#171021-297 Officer McLaughlin documented among other things that while on scene at 316 Colorado Avenue, she observed a Hispanic male later identified as Mendez, Carmelo (S5), pull away from cover car Amber 21 Officer Hugo Stern when Officer Stern attempted to guide Carmelo off the property by placing his hand on his shoulder. Officer McLaughlin documented Carmelo refused to leave the property stating, "*fuck you I'm not going anywhere*". Carmelo was then guided by cover car Blue 15 Officer Adam Szeps to the ground where he attempted to place Carmelo in handcuffs.

Videos obtained, (video name: **10-21-17 316 Colorado Avenue Berke USB**), captured several different views around the home of 316 Colorado Avenue during the incident on October 21, 2017. By reviewing the video footage which was provided (Exhibit 28. 316 Colorado Avenue video clips) captured on Mr. Mendez's personal cell phone the incident prior to Mr. Mendez being taken down to the ground. In the footage prior to Mr. Mendez being taken down to the ground, at approximately the 13:08 mark of the video footage a viewer can see and hear Officer Hugo Stern state, "Let's go" and motion with his right-hand thumb pointing back over his shoulder toward the street. Then state "Parties over, let's go" but now Officer Stern is out of camera view being that he passed Mr. Mendez. At this point you hear Mr. Mendez state "Don't touch me." Then you hear Officer Stern again say, "Let's go." Mr. Mendez then stated, "This is my sister's house." An unidentified voice then says, "Let's go" and as Mr. Mendez again starts to say, "This is my sister's house" You hear who appears to be Officer Szeps who is out of the view of the camera state, "You're going."

Note: At no time based on the video captured prior to Mr. Mendez being taken down to the ground did Mr. Mendez state, "*He's not fucking going anywhere.*"

Based on Officer McLaughlin's documented report, incident report, file#171021-297 she documented Mr. Mendez stated, "*fuck you I'm not going anywhere,*" it is found to be inaccurate. Mr. Mendez in fact stated, "Don't touch me, this is my sister's house." then again starts to say, "This is my sister's house"

Therefore, Officer McLaughlin is in violation of policies: **1.3.34 Department Reports / Official Correspondence.**

All indications of material evidence, statements, reports and documentation clearly further substantiate a violation of **1.3.4 Knowledge of Department Rules and Regulations / 1.3.5 Violation of Rules / 1.3.6 Conformance to Rules/Regulations**

Having determined that Officer McLaughlin violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of **1.3.12 Incompetence.** By failure to

accurately document the incident, Officer McLaughlin failed to maintain competency to perform her duty and to assume the responsibility of her position.

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Natalie McLaughlin violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

Officer Natalie McLaughlin:

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

1. Officer Michael Mazzacco Issue # 1 Racial Slur:

18

Officer Michael Mazzacco stated on October 21, 2017, he responded to a call at 316 Colorado Avenue because Officer Natalie McLaughlin asked for more units on scene. The issue presented to the Office of Internal affairs specifically concerning Officer Michael Mazzacco if his contact with Peter Diaz was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

These applicable standards are taken out of the Bridgeport Police Department Police and Procedure Manual:

1.1.6 Appendix A - Oath of Office

I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God.

I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.

I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities of a Police Officer A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance of the Duties of a Police Officer A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.29 Public Contact 1) While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. While on-duty members of the Department shall exercise courtesy toward all persons.

1.3.4 Knowledge of Department Rules and Regulations 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same. 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule. 3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department. 4) In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation of Rules Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at area commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate. Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable.

2.7.8 Racial, Ethnic or Sexist Slurs and/or Graffiti This section establishes a policy prohibiting the inappropriate use of racial, ethnic, or sexist slurs and/or graffiti of BPD employees. A complaint and investigation process are also established to enforce the policy. It is the policy of BPD that no employee, independent contractor or non-employee in the workplace shall communicate any racial, ethnic or sexist slur and/or graffiti that contributes to a hostile work environment, for BPD employees.

Application of Standards:

The Office of Internal Affairs concluded the following information to be factual based on the information that was corroborated and found to be true, accurate, and credible.

Officer Mazzacco related in his incident report that while on scene he instructed Peter Diaz to move away from officers and to keep his hands off of officers since he had been tugging on Officer McLaughlin's pants, but that Peter Diaz began to act belligerent and to shout profanities by calling him, "A Bitch Ass Nigga" and stated, "I will Fuck You Up. You ain't shit, you can't do shit I'm in a wheel chair" and slapped his hand. Officer Mazzacco documented that Peter Diaz threatened him as well as his family. According to Officer Mazzacco, once assisting units arrived, he advised them that Peter Diaz was under arrest and he was escorted out of the area and to a marked patrol car by the assisting officers. During his interview, Officer Mazzacco acknowledged that all the information documented in his report was accurate and true.

The issue presented to this Officer regarding Officer Mazzacco is his actions which were observed in the video footage provided by Carmelo Mendez and Jose Alvarado. During the video footage, Officer Mazzacco is heard saying to Peter Diaz, *"He is going, I am a Bitch Ass Nigga too right? You are going."* This can be seen at 43 seconds into the video footage provided by Carmelo Mendez. Note that there are still several citizens on scene and who hear the comment made by Officer Mazzacco and Jose Alvarado, who also records this interaction, reacts by saying, "Oh my God" right after Officer Mazzacco's comment.

Policy dictates that on-duty members who of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. As a result of his comments, one can clearly conclude that Officer Mazzacco was in violation of policies ***1.3.29 Public Contact / 1.1.7.1 Primary Responsibilities of a Police Officer / 1.1.7.2 Performance of the Duties of a Police Officer***

Furthermore, policy prohibits the inappropriate use of racial, ethnic, or sexist slurs and/or graffiti. Even though, Officer Mazzacco repeated the comment made to him by Peter Diaz, *"He is going, I am a Bitch Ass Nigga too right? You are going"* he still was in violation of policy: ***2.7.8 Racial, Ethnic or Sexist Slurs and/or Graffiti.***

Having determined that Officer Mazzacco violated the aforementioned policies and procedures based on factual information, additionally substantiates a basis for violations of ***1.3.4 Knowledge of Department Rules and Regulations / 1.3.5 Violation of Rules / 1.3.6 Conformance to Rules/Regulations.***

Additionally, Officer Mazzacco's behavior could be seen as offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer. Thus, violating policy ***1.3.21 Unbecoming Conduct***

Conclusion:

Based on all documentation and reports obtained throughout the course of the investigation and after careful and through review, it is concluded that Officer Michael Mazzacco violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations.

Officer Michael Mazzacco:

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.29 Public Contact

2.7.8 Racial, Ethnic or Sexist Slurs and/or Graffiti

1. Officer Steven Silva: Issue # 1 Failure to Render Medical Attention

On October 21, 2017 Officer Steven Silva documented, he responded to a call dispatched to Officer Natalie McLaughlin of a noise complaint at 316 Colorado Avenue and she requested back up to her location. Officer Silva stated while in route an update was broadcasted via a radio upgrading the incident to a 10-32 emergency, officers need help. The issue presented to the Office of Internal affairs specifically concerning Officer Steven Silva is that as the transporting Officer of Carmelo Mendez, who was clearly injured as a result of such arrest, is if his failure to provide medical attention was within clearly established policies/procedures and legal standards set forth by the Bridgeport Police Department.

Applicable Standards:

3.7.3.9.3 Physically Injured or Ill Prisoners requiring immediate medical treatment will be transported from the scene to the hospital via ambulance or police cruiser depending upon the seriousness of the injury.

Application of Standards:

Officer Silva provided a sworn statement to Office of Internal Affairs. Officer Silva was asked if he saw any injuries on Mr. Carmelo Mendez. In his statement Officer Silva stated among other things, "yes, they may have been gotten when he was on the ground with officers on top of him, might have been friction injury. It's possible that he was struck when there were officers in front of him obscuring his vision, but he couldn't say for certain" (Page 15, line 640-651).

Officer Silva stated he assisted Officer Szeps with picking Mr. Mendez of the ground and walking with him placing Mr. Mendez Officer Silva's vehicle. (Page 4, line 150-151) and (Page 18, line 770-774). Officer Silva stated he transported Mr. Mendez to Booking. (Page 30, line 1326-1327).

Officer Silva stated when they arrived in Booking he placed Mr. Mendez in the large holding cell due to the large volume of people that were coming in to Booking. Officer Silva stated he started to process Mr. Mendez and at one-point Officer Silva stated he was looking down at his notepad in his hand and he heard some kind of loud thudding sound. Officer Silva stated he looked up from his notepad and Mr. Mendez had fallen backwards and apparently lost consciousness. Officer Silva stated he immediately called for the medics to assist. Officer Silva stated they opened up the cell to have Mr. Mendez treated and regained consciousness or was somewhat lucid a few moments later. [REDACTED] 2 - HIPAA

[REDACTED] 2 - HIPAA

(Page 5, line 181-188)

This incident was captured on several Booking cameras in this area in Booking. Captured on the Holding Cell rear camera at approximately 11:31:00pm Mr. Mendez was standing in the holding cell handcuffed behind his back and passes out falling to ground and landing on his back. The medics who were already on scene enter the holding cell and tend to Mr. Mendez who appears to gain consciousness at approximately 11:31:58pm. Mr. Mendez is placed in a wheel chair and leaves Booking with the medics at approximately 11:35:58pm.

Conclusion:

Note: Officer Silva had knowledge that Mr. Mendez had been injured on the scene at 316 Colorado Avenue knowingly transported and injured prisoner to Booking while failing to render medical attention. Officer Silva admitted to seeing an injury on Mr. Mendez at 316 Colorado Avenue which was confirmed by the statements of Officer Daniel O'Brien and Officer Andrew Christie who both provided statements regarding seeing an injury to Mr. Mendez's forehead at 316 Colorado Avenue while Mr. Mendez sat in the rear of a police cruiser.

Based on all documentation and reports obtained during the course of the investigation and after careful and through review, it is concluded that Officer Steven Silva violated the following Bridgeport Police Department's Policy and Procedures/Rules Regulations:

Officer Steven Silva

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

3.7.3.9.3 Physically Injured or Ill Prisoners

Section VII

Office of Internal Affairs

Case # 17I-219

Findings:

Excessive Force: Sustained / Refer to the Chief.

**Summaries
Of
Official Reports
Transcribed Statements
Collected Videos
Pertaining to Investigated
Police Officers**

1. Police Officer Daniel O'Brien

Summary of statement given by Officer Daniel O'Brien summarized by Sergeant Milton Johnson, Officer O'Brien stated the following among other things:

On October 24, 2017, Sergeant Milton Johnson and Sergeant John Klesyk conducted a taped interview of Officer Daniel O'Brien in the Office of Internal Affairs. *See Officer O'Brien's complete statement for specific details.*

Officer O'Brien has been employed with the City of Bridgeport as a Police Officer for approximately 17 years. Officer O'Brien stated that on October 21, 2017, he was assigned to Amber 26, which is his normally assigned post. Officer O'Brien went on to state that when the signal 32 (Officer needs assistance) was called, he was on a quality of life complaint at 165 Seaver Circle. Officer O'Brien also stated that Officer Kamar Gidden, who was assigned to Amber 24, was his cover car.

Officer O'Brien stated he was the last vehicle to arrive on scene. Officer O'Brien stated when he exited his vehicle he observed a male prisoner with a cut on his forehead sitting in the back of a Police vehicle. Officer O'Brien stated he remembered this prisoner saying he dropped his cell phone. Officer O'Brien stated Officer Szeps had a firearm recovered on scene that belonged to the prisoner with the cut on his forehead.

Officer O'Brien stated the situation appeared to be under control and he never made on to the property. Officer O'Brien stated at some point prior to leaving the scene he observed a large oversized pickup truck driving irrational and Officers took him out the vehicle and placed him into custody.

The undersigned Sergeant has determined Officer Daniel O'Brien has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

2. Police Officer Kamar Gidden

Summary of statement given by Officer Kamar Gidden summarized by Sergeant Milton Johnson, Kamar Gidden stated the following among other things:

On October 25, 2017, Sergeant Milton Johnson and Sergeant John Klesyk conducted a taped interview of Officer Kamar Gidden in the Office of Internal Affairs. *See Officer Gidden's complete statement for specific details.*

Officer Gidden has been employed with the City of Bridgeport as a Police Officer for approximately 1 year. Officer Gidden stated that on October 21, 2017, he was assigned to Amber 24, which is his assigned post. Officer Gidden went on to state that when the signal 32 (Officer needs assistance) was called, he was covering Officer Daniel O'Brien (Amber 26) on a quality of life complaint at 165 Seaver Circle. Officer Gidden stated that once the signal 32 was called, both he and Officer O'Brien left 165 Seaver Circle and proceeded to the area of 316 Colorado Avenue. Officer Gidden stated that they both arrived at the same time.

Officer Gidden stated that when he arrived in the area of 316 Colorado Avenue, the situation was, "pretty much wrapped up", and he performed the self-initiated function of ensuring that people left the area. Officer Gidden stated that he never made it onto the property at 316 Colorado Avenue, due to him seeing other Officers leaving the area. Officer Gidden stated that the Officers communicated to him that the scene was secure.

Officer Gidden stated that he observed one male, whom was wearing grey sweat pants, being put into a police car while he was there. Officer Gidden went on to state that due to the flashing lights he was not able to tell if the party was resisting or injured, but he did hear the individual talking and stating that he didn't do anything. Officer Gidden stated that he did not see any medics on scene. Officer Gidden also stated that he did see Sergeant Delgado while he was on scene.

Officer Gidden stated that he observed no physical struggles between Officers and citizens while he was on scene, nor did he have physical contact with any of the citizens. Officer Gidden again acknowledged speaking to random citizens requesting they vacate the area.

Officer Gidden also stated that one of the sergeants directed those in custody to be transported to booking. That is when he turned around and headed back to his patrol car. Officer Gidden added that once the area was secured, he returned to his own post, caught up on paperwork, and resumed patrol until the end of his shift.

The undersigned Sergeant has determined Officer Kamar Gidden has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

3. Police Officer William Arroyo

Summary of statement given by Officer William Arroyo summarized by Sergeant Milton Johnson, Officer Arroyo stated the following among other things:

On October 26, 2017, Sergeant Milton Johnson and Sergeant John Burke conducted a taped interview of Officer William Arroyo in the Office of Internal Affairs. *See Officer Arroyo's complete statement for specific details.*

Officer Arroyo has been employed with the City of Bridgeport as a Police Officer for approximately 10 years. Officer Arroyo stated that on October 21, 2017 he was assigned to Blue 14, along with Officer Bobby Hernandez. Officer Arroyo stated that he requested and was granted "Comp Time" (compensatory time off), from Sergeant Delgado, and as such went off duty at 9:00pm.

Officer Arroyo stated that he notified the CAD Supervisor that he was leaving at 9:00pm, and that Officer Hernandez would be solo for the remainder of the shift. Officer Arroyo was not on duty at the time of the incident, and never responded to 316 Colorado Avenue.

The undersigned Sergeant has determined Officer William Arroyo has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

4. Police Officer Bobby Hernandez

Summary of Police Report authored by Officer Bobby Hernandez

I, P/O B. Hernandez of car Blue 14 responded to a service call regarding a noise complaint at the location 316 Colorado Ave. as a cover unit for P/O N. McLaughlin of car Blue 11. Upon our arrival officers overheard loud music coming from the backyard of the reported location and proceeded through the driveway to further investigate. P/O McLaughlin and I, then attempted to speak with the owners of the home who were located in the backyard of the residence (Wanda Mendez) and (Fernando Morales). When we made them aware of the noise complaint Fernando immediately became belligerent, yelling "This is my house get the fuck out of here" and "Fuck the neighbors". This behavior incited other party attendees to become belligerent by disobeying the repeated commands of officers to calm down. It should also be noted this belligerent behavior was in the presence of several minors attending the party.

At this point several of the attendees at the party became involved in the altercation, some of them attempted to calm down Fernando and others became confrontational toward officers. It was at this time P/O Mazzacco of car Blue 12 arrived to assist and after several failed attempts by all officers on scene to gain control of the situation, P/O Mazzacco called for additional units to respond.

As cover units arrived all officers on scene proceeded to place the individuals causing the disturbance, under custodial arrest. During the altercation, I assisted P/O Szeps with the arrest of Carmelo Mendez along with several officers on scene after a fellow officer yelled "He has a Gun!". Detective Fortes, who was also assisting with the arrest grabbed my service baton from my holster and pried his left arm from underneath Carmelo's chest. I then gained control of his left hand and guided his arm behind his back to be handcuffed.

Note: At this time, Carmelo was on the floor in the prone position resisting several officers who were attempting to place him under custodial arrest.

After officers gained control of the situation, I obtained the names and date of birth of two of the party attendees who stated they would place the children in the house under their custody.

Thalia Miranda / D.O.B. [REDACTED] and Jonathan Virella / D.O.B. [REDACTED]

Thalia initially refused to cooperate with officers regarding the investigation and would not allow officers inside the home to conduct a wellbeing check on the children attending the party.

Summary of statement given by Officer Bobby Hernandez summarized by Sergeant Larry Lazaro, Officer Hernandez stated the following among other things:

On October 26, 2017, Sergeant Santiago LLanos and Sergeant Jesse Pizarro conducted a taped interview of Officer Bobby Hernandez in the Office of Internal Affairs. *See Officer B. Hernandez's complete statement for specific details.*

Officer Hernandez has been employed with the City of Bridgeport as a Police Officer for approximately 2 years. Officer Bobby Hernandez stated that on October 21, 2017, he was assigned to car Blue 14 on October 21, 2017. Officer Bobby Hernandez stated Blue 14 is a two-man car, however on this night his partner Officer William Arroyo utilized compensatory time and left work at approximately 2100hrs.

Officer Bobby Hernandez stated he recalled the original call came in as a noise complaint and that Blue 11, Officer McLaughlin was assigned the call and he was assigned as the cover unit by CAD. Officer

Bobby Hernandez stated he and Blue 11 Officer McLaughlin arrived at the same time and therefore approached the driveway to 316 Colorado Avenue on foot together. Officer Bobby Hernandez stated as they approached the driveway you could already hear the music playing very loudly coming from the rear of the house.

Officer Bobby Hernandez stated as soon as they reached the rear of the residence a male later identified as Fernando Morales immediately became belligerent stating "What the fuck are you guys doing here, get the fuck off my property, fuck the neighbors." Officer Bobby Hernandez stated Mr. Fernandez was trying to get up in his face and some of the attendees at the party were trying to hold him back.

Officer Bobby Hernandez stated they tried to calm Mr. Fernandez down, but he wouldn't cooperate. Officer McLaughlin tried to mediate, and Officer Bobby Hernandez stated he tried to get people to talk to Mr. Fernandez to try and calm him down, but it got chaotic as several party attendees tried to hold Mr. Fernandez back from getting in the Officers face.

Officer Bobby Hernandez stated at that point Officer Mazzacco who has more experience came in and saw the situation. Officer Bobby Hernandez stated there were only three of them (Officers) and what he believed to be approximately 50 party goers. Officer Bobby Hernandez stated Officer Mazzacco noticed the belligerent behavior and how they were acting towards them when you have to hold somebody back from talking to a cop and getting in their face not knowing what the guy's going to do. Officer Bobby Hernandez stated the situation was getting scary. Officer Bobby Hernandez stated they were in a tough situation because they were now being surrounded. Officer Bobby Hernandez stated they had to step back a little bit and Officer Mazzacco called the 10-32, (Officer Needs Assistance).

Officer Bobby Hernandez stated as Officers began arriving another individual became disruptive and Officer Szeps wrestled him to the ground to hand cuff him. At that point, all available Officers on scene proceeded to pile on top of the individual who refused to comply with Officer's orders. Officer Bobby Hernandez stated this individual was now lying down on the ground in a prone position with his hands underneath his chest. The individual lay in a prone position on the ground with his hands under his body, refusing to show them and allow Officer Szeps to handcuff him. Officer Bobby Hernandez stated he approached them to assist and someone yelled out "He has a gun!".

Officer Bobby Hernandez stated he was trying to get his arm out and Detective (Fortes), asked, "Anybody's got a baton, anybody's got a baton." And Officer Bobby Hernandez stated he was securing the subject with his hands but informed Detective Fortes he had a baton on his duty belt. Officer Bobby Hernandez stated he angled toward Detective Fortes and Detective Fortes grabbed his service baton from Officer Bobby Hernandez's duty belt, deployed it and used the pry bar method. Officer Bobby Hernandez stated Detective Fortes pried the subjects (Mr. Mendez) arm out and Officer Bobby Hernandez grabbed the subjects (Mr. Mendez) left arm so he could be placed in handcuffs. Officer Bobby Hernandez stated after that, Detective (Fortes), gave him back his service baton.

Officer Bobby Hernandez stated he didn't strike Mr. Mendez nor did he see any Officers strike Mr. Mendez and did not see any injuries on Mr. Mendez because he walked away after Mr. Mendez was handcuffed.

Officer Bobby Hernandez stated he then joined the other Officers doing crowd control where he did get the names of two individuals and performed background checks on them via dispatch. He then attempted to gain entrance into the house to check the welfare of the children that were inside however, he was not permitted to enter the residence.

Officer Bobby Hernandez was then ordered by Sergeant Delgado to complete an addendum and a use of force report. Officer Bobby Hernandez then cleared 316 Colorado Avenue and drove to booking. While in booking he observed Officer Szeps processing his suspect and the gun which had been called out on scene. There were too many Officers in booking therefore Officer Bobby Hernandez was forced to complete his reports in the patrol dayroom.

While in the dayroom completing his reports another 10-32 was called out and Officer Bobby Hernandez responded to that as well. He then returned to the patrol dayroom and completed his reports. Upon completing his reports, he then went back up to booking to speak with Officer McLaughlin while Sergeant Delgado checked over and signed his paperwork.

The undersigned Sergeant has determined Officer Bobby Hernandez has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

5. Detective John Cholakian

Summary of statement given by Detective John Cholakian summarized by Sergeant Lawrence Lazaro, Detective Cholakian stated the following among other things:

On October 26, 2017, Sergeant Lawrence Lazaro and Sergeant Milton Johnson conducted a taped interview of Detective John Cholakian in the Office of Internal Affairs. *See Detective Cholakian's complete statement for specific details.*

Detective Cholakian has been employed with the City of Bridgeport as a Police Officer for approximately 8.5 years. Detective Cholakian stated that on October 21, 2017 he was on duty in the Detective Bureau at his desk when he heard the 10-32 called on the radio. Detective Cholakian stated he was told by

Detective McKenna who was also in the office "Let's go" and he and Detective McKenna responded to 316 Colorado Avenue. He stated upon arrival he observed seven to ten patrol units parked on the street forcing them to park their vehicle several houses away and proceed on foot.

Detective Cholakian stated as they approached house #316 they observed a great deal of commotion amongst the Officers already on scene and could hear yelling and screaming. He stated he observed a Fairfield Officer and possibly a Trumbull Officer on scene. Detective Cholakian stated people were being dispersed by the Officers and some were leaving. Others were being arrested or detained while Officers attempted to establish order.

Detective Cholakian stated as he and Detective McKenna made their way to the rear of the house to determine if Officers were still in need of assistance he observed an individual that appeared at the time to be a Caucasian or Hispanic male on the ground being detained by several Officers who were attempting to hand cuff him however, the individual proceeded to resist, refusing to allow the Officers to hand cuff him.

Detective Cholakian stated while attempting to handcuff the individual Detective Cholakian heard someone yell "gun" at which time the Officers recovered the gun, hand cuffed the individual, stood him on his feet and escorted him to a patrol unit. During this time Detective Cholakian stated he could hear the individual proclaiming to the Officers "I have a permit for that weapon"! (Page 14, line 629)

Detective Cholakian stated as the individual was being led to the patrol unit by Officers, he observed the individual was bleeding from his left temple. Detective Cholakian stated while on scene he observed Sergeant Scillia, Sergeant Lyons and possibly Sergeant Niestemski as well. Detective Cholakian stated Sergeant Scillia was giving verbal commands to Officers on scene and instructing them to transport their prisoners to booking at 300 Congress Street.

Detective Cholakian stated while on scene he did observe a gun and an Officer making the gun safe however, he does not recall the identity of the Officer and he did not actually see the gun in the individual's hand because there were several Officers on top of him attempting to gain compliance. Detective Cholakian stated the only Officer he recognized on top of the individual was Detective Fortes (Kenneth). Detective Cholakian stated he observed Detective Fortes on the individual's right side assisting the Officers in gaining the individuals compliance while holding what appeared to him to be a baton as Officers were ordering the individual to "stop resisting". He believes it was a baton because of the distinctive sound the ASP baton makes upon its deployment.

Detective Cholakian stated Detective Fortes appeared to have taken the baton from another Officer's belt who was on scene. Detective Cholakian stated could not clearly see what Detective Fortes did with the

baton however, he did observe an Officer that he could not identify now repeatedly punching the individual that was on the ground.

Detective Cholakian did not hear any medical personnel called to the scene via his police radio, nor did he observe any medical personnel on scene. He and Detective McKenna left the scene of their own accord and were not ordered to leave by any supervisor however, as they departed they could hear Sergeant Scillia ordering some of the other cars to depart the scene. Detective Cholakian states he and Detective McKenna then returned to the Detective Bureau and did not report to booking and they did not complete any reports regarding this incident.

The undersigned Sergeant has determined Detective John Cholakian has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

6. Detective Kenneth Fortes

Summary of Official Explanatory Report authored by Detective Kenneth Fortes on 10/25/17.

Detective Kenneth Fortes reports that he was halting an investigation for the night and preparing for his return to the detective bureau when a distressed voice in a call from B-11 came over the radio. Detective Fortes relates that it was Officer Natalie McLaughlin, but that he did not know what was happening or where she was and since he was not sure of what he heard, he waited until further information to come over. Detective Fortes states that upon hearing dispatch call a 10-32 (Officer needs assistance) he immediately responded to Colorado Avenue following other officers to the scene.

Detective Fortes indicates that upon his arrival, the scene was being cleared by officers and he was passed by several groups of suspects being detained by officers on their way out towards the patrol cars for transport. Detective Fortes notes that suspects were in different stages of resistance, some kicking back, others dragging their feet, all speaking with belligerence to their attending officers. Detective Fortes states that none of the officers passing appeared to need his assistance at that time so he proceeded to the rear yard of the residence.

Detective Fortes conveys that as he approached the rear of the structure, he observed a heavy set (220 + pounds), Hispanic Male, in a dark jacket, with what he counted to be 3 officers, behind him, attempting to arrest him. Detective Fortes states that the officers had his arms and back and were rapidly losing control of him as he struggled, and the entire group was heading towards him, and his knees, as he was walking to the backyard. According to Detective Fortes, it was then that he heard the suspect say, "Damn right I've got a gun!" Detective Fortes explains that as the suspect was appearing to break free, he performed a modified sprawl maneuver by making the suspect prone before he could get completely free. Detective Fortes notes that he did not want both of them landing on the ground and wanted to save his knees, which were both injured in previous arrests.

Detective Fortes articulates that while executing a knee platform, as per his training in L.O.C.K.U.P. (Law Officers Combat Kinetics Unarmed Panoply), to facilitate handcuffing the suspect, the suspect turned, causing him to brace against him to keep him from rolling out of everyone's grip. Detective Fortes explains that once that was stopped, another officer appeared to his right and helped get the suspect prone again, all while the suspect was actively resisting. Detective Fortes continues that he resumed a knee platform on his left shoulder blade, but the suspect managed to get his arms under himself and would not present them at their requests, so that he could not complete the L.O.C.K.U.P. maneuver.

Detective Fortes states that he then heard an officer say, "He's got a gun!", and felt an immediate sense of danger and with that he asked the surrounding officers, "who has a baton?" Detective Fortes states that at that moment, he saw an unidentified officer (Officer Bobby Hernandez) who was bent over and trying to assist, with his baton within reach of him. Detective Fortes relates that he seized his baton, extended it, and placed it in between the suspect's arm and his body, and used it to pry and control the suspects left arm as per his training received in L.O.C.K.U.P. techniques. Detective Fortes documents that this compelled the suspect to release his other arm, which officers immediately seized, and struggled with him to handcuff, and applied an arm control technique, as per training received in L.O.C.K.U.P., and with help from another officer put the arm in position for handcuffing, which went smoother, and with no injury to the suspect. Detective Fortes states that he released the knee platform, and the suspect was risen to his feet by officers and transported. Detective Fortes indicates that he gave the baton back to Officer Hernandez and continued to survey the scene.

Detective Fortes notes that the scene was now under control and all other belligerent parties had either left or been arrested, but he then observed two people, a male and female, who were refusing to cooperate

with officer's attempts to check the welfare of the children who had attended the party. Detective Fortes states that after talking with the investigating officers, the "couple" decided to cooperate and identified themselves as caretakers and he then left the scene and returned to his previous activity. *Note:* Detective Fortes also wrote an explanatory report which contains the same exact information documented on his incident report.

Summary of statement given by Detective Fortes summarized by Sergeant Fabio Pereira, Detective Fortes stated the following among other things:

On October 26, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Detective Kenneth Fortes in the Office of Internal Affairs. *See Officer Fortes' complete statement for specific details.*

Detective Fortes has been employed with the City of Bridgeport as a Police Officer for approximately 10 years. Detective Fortes stated that on October 21, 2017 he responded to 316 Colorado Avenue after a 10-32 Officer Needs Assistance call was initiated. Detective Fortes stated he responded to the location alone and described the scene as chaotic and related that there were several Officers on scene and recalled persons being arrested and handcuffed. Detective Fortes indicated that the people at the party were angry and belligerent and he smelled alcohol. Detective Fortes added that there was resistance from just about every single party that he saw coming out of there.

Detective Fortes stated he observed a suspect who was not handcuffed being escorted out of the property that began to struggle to get free of the Officers. Detective Fortes stated the suspect was actually making his way free at which point he assisted in taking a hold of the suspect and going into a sprawl maneuver in order not to hurt his knees. Detective Fortes notes that he has been trained for this type of maneuver and also that his knees were injured from a previous arrest.

Detective Fortes explains that the knee platform is where you place someone into the lock-up position on one knee and depending on which side of the body that you are on, you have control of that arm and then you can get the other arm into a handcuffing position. Detective Fortes articulates that it makes the handcuffing a lot easier and puts the subject in compliance where you have control and can actually get your hands free. Detective Fortes states that in this case, he was not able to get Carmelo Mendez hands free, so he had to maintain control of the arm.

Detective Fortes related that he was ordering Carmelo Mendez to stop resisting and to show him his hands. Detective Fortes stated at this point he heard someone yell out "Gun" at which point he felt he was in immediate danger and knew he had to act. Detective Fortes stated he then took a baton from one of the Officers on scene and did a one hand extension since his other hand was on the suspect. Detective Fortes related that he did not actually see a gun or handle a gun during his interaction with Carmelo Mendez. Detective Fortes stated that when he landed, his hands were underneath him and furthered that the suspect continued to struggle and rolled around refusing to show his hands when he was given verbal command to do so. Detective Fortes indicates that he was in the front towards the head / shoulder area of Carmelo Mendez.

Detective Fortes related that he used the baton to pry the arm out from underneath the suspect but that he could not get close enough to place him in the LOCKUP position. Detective Fortes indicates that the officers were able to grab Carmelo Mendez's arm and he came back around and did another control maneuver, so he would both the arms together. Detective Fortes states that once Mr. Mendez was handcuffed, he handed the baton back to Officer Hernandez but was unsure if he was the Officer who he originally retrieved it from. Detective Fortes states during the interview that when Carmelo Mendez was on his way out, he heard him saying, "Damn right. I got a gun." (Fortes 338-339)

According to Detective Fortes, he does not know who handcuffed Carmelo Mendez and was only concerned that the handcuffs went on and that his hands were secured. Detective Fortes stated that Officer Hernandez assisted in handcuffing Carmelo Mendez and that there were two others who were trying to get him under control and pointed out that Carmelo Mendez was violent. Detective Fortes estimated the struggle to take place in approximately a minute and that his control maneuvers in his opinion were effective in gaining control of the suspect. Detective Fortes revealed that he is an instructor in the baton.

Detective Fortes conveyed that he did not use any additional force on Mr. Mendez or anyone on scene and did not strike Carmelo Mendez with the baton. Detective Fortes noted that it took approximately five Officers to subdue Mr. Mendez and stated he only knew the names of Officer Bobby Hernandez, Officer McLaughlin, Officer Topolski, and Sergeant Lyons. Detective Fortes relates that Detectives Kenneth McKenna and Detective John Cholakian were also on scene.

Detective Fortes stated he did not strike Mr. Mendez nor did he see any other Officers on scene strike Mr. Mendez. Detective Fortes reports that he does not recall who handcuffed Mr. Mendez but he did back away and let the Officers take control of Mr. Mendez once he was handcuffed. Detective Fortes furthered he walked away and stayed in the immediate area just in case his assistance was further needed. Detective Fortes discloses that he had his keys on him and possibly putting it away in his pockets. Detective Fortes also explained that a lot of the partygoers had their cell phones out and could have caught his interaction with Mr. Mendez, but he himself did not record anything.

Detective Fortes related that on the day of the incident he did not write a use of force form and claims that he asked around if he had to which included speaking to a supervisor on scene. Detective Fortes indicated that he could not remember which supervisor he spoke to on scene. Detective Fortes stated that he did not complete an Use of Force and instead completed an addendum on 10/25/18 which he put in Sergeant Delgado's departmental mail box. Detective Fortes explained that he was having problems switching the document from word to an addendum.

According to Detective Fortes, he was instructed by Sergeant Delgado to do an addendum when he saw him in front of the Military Academy. **Note: Sergeant Delgado stated that he had read in Officer Hernandez's report that Detective Fortes used a baton in the arrest of Carmelo Mendez. Sergeant Delgado reports that he saw Detective Kenneth Fortes on Monday (10/23/17) while he was working a road job and requested for Detective Fortes to complete a Use of Force.**

Detective Fortes stated that he did not go to Booking after the incident and that he mentioned the incident to his supervisor, Sergeant John Losak, whom he saw at the end of the night.

Summary of Official explanatory report authored by Sergeant John Losak to Lieutenant Brian Dickerson

Sergeant John Losak reports that on 10/28/2017, Detective Kenneth Fortes turned in his Use of Force report and related that he was off the following day and on the 30th, he started to complete a supervisor's cover sheet but felt that he would not have all the information to make a final determination on the use of force. Sergeant Losak indicates that after his phone conversation on the 31st and knowing that the Office of Internal Affairs has an open investigation it was determined that the best solution would be to forward the Use of Force report to the Office of Internal Affairs without a cover sheet.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Detective Kenneth Fortes.

By reviewing this video footage under Channel 1, which faces North of 316 Colorado Avenue, Detective Fortes is observed walking towards the house at 10:28:47. Under Channel 6, which faces the driveway of 316 Colorado Avenue, Detective Fortes is observed walking in at 10:29:25. Note that this video footage does not have audio. Detective Fortes then walks towards Carmelo Mendez behind Officer Hugo Stern, Officer Adam Szeps, and Sergeant Delgado. At 10:29:35 when Officer Szeps grabs a hold of Carmelo Mendez and starts to bring him down, Detective Fortes is right behind him. At this time, Carmelo Mendez falls towards Detective Fortes knees and Detective Fortes goes down with him.

Note that Detective Fortes states that he assisted in taking a hold of the suspect and going into a sprawl maneuver in order not to hurt his knees. In his report, Detective Fortes notes that there were 3 officers (Officer Hugo Stern, Officer Adam Szeps, and Sergeant Delgado) that were attempting to arrest him and that they were losing control of him. The only resistance documented in the reports by Carmelo Mendez is the swiping of the arm when he was touched by Officer Stern. Detective Fortes documents that the entire group was heading towards him and his knees which is verified by the video footage.

Detective Fortes lands on the right-side shoulder / head area of Carmelo Mendez and it appears that he is attempting to get control of Carmelo Mendez. At this time several officers converge on Carmelo Mendez. At 10:29:57, Detective Fortes is observed reaching towards Officer Bobby Hernandez's duty belt and grab his baton. Detective Fortes then extends the baton using his right hand and turns towards Carmelo Mendez who is at this time laying on his stomach. Detective Fortes reports both in his report and statement that at he uses the baton to pry the arm out from underneath the suspect, however, because there are other officers on top of Carmelo Mendez, a viewer cannot see Detective Fortes using the baton.

Detective Fortes stays on the ground next to Carmelo Mendez for a few more seconds and once he is handcuffed, Detective Fortes stands up and then hands Officer Bobby Hernandez his baton back to him and puts something in his pocket, however, it cannot be determined what the item is. Detective Fortes also put his hat back on. Detective Fortes then walks toward the back of the driveway / porch area out of camera view. Detective Fortes stays in the driveway area for a few minutes and is observed leaving out of the driveway and 10:37:40 and walks out to the front of the house. Detective Fortes is then observed under Channel 1 walking towards his vehicle at 10:38:02.

Summary of Video Footage provided by Carmelo Mendez capturing the conduct of Detective Kenneth Fortes.

By reviewing this video footage, Detective Fortes is walking behind Officer Hugo Stern, Sergeant Delgado, and Officer Adam Szeps towards him at 02:55. Officer Stern then tells Carmelo Mendez, "Let's go, party is over." Carmelo Mendez respond by saying, "Don't touch me, this is my sister house" while Officer Stern is again saying, "Let's go." Officer Szeps then says, "You're going" (03:06) and the camera goes blurry. At 03:09, Carmelo Mendez is heard saying, "Yo he just hit me" and Officer Szeps is also heard saying, "He's got a gun, he's got a gun." (03:12)

Summary of the Instruction Certifications of Detective Kenneth Fortes

Detective Fortes is a certified instructor (Certification # 2727 Effective 12/21/10 through 11/30/19) in the following subjects:

- Use of Force (209)
- Firearms (301)

- Shooting Decisions (301A)
- Patrol Rifle (301B)
- Use of Less Lethal Force (baton) (A)
- Use of Less Lethal Force (OC) (302B)
- Handcuffing (301A)
- Defensive Tactics (306B)

The undersigned Sergeant has determined, based on the statement of Detective Kenneth Fortes coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Detective Kenneth Fortes has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

7. Sergeant Stacy Lyons

Summary of Sergeant Stacy Lyons statement summarized by Sergeant Milton Johnson, Sergeant Lyons stated the following among other things:

On October 27, 2017, Sergeant Milton Johnson and Sergeant Jessie Pizarro conducted a taped interview of Sergeant Stacy Lyons in the Office of Internal Affairs. *See Sergeant Lyons' complete statement for specific details.*

Sergeant Lyons has been employed with the City of Bridgeport as a Police Officer for approximately 10 years. Sergeant Lyons stated that on October 21, 2017, she was assigned to the Webster Bank Arena Hockey Game Traffic Detail Supervisor on overtime. Sergeant Lyons went on to state that she was composing an email message back at her office when the signal 32 was called.

Sergeant Lyons stated that she arrived at what she described as towards the very end. Sergeant Lyons stated as she entered the property she observed a few Officers on the ground fighting, but she did not know who the Officers were. Sergeant Lyons stated she heard somebody within the group of Officers yell "gun", but she ran around them and dealt with four to five citizens that were in the back yard and ensured that they stayed seated and away from the police action. Sergeant Lyons also stated that she made sure that nobody was behind the garage area hiding attempting to conceal a weapon.

Sergeant Lyons stated that she authoritatively told a younger couple to sit where they were and told an older couple to stay back (from the group of Officers that were physically engaged with a suspect). Sergeant Lyons stated the young couple were telling her that the Police had no right to come on their property. Sergeant Lyons stated she explained to them that if they stood up or got in the way, they could be arrested. Sergeant Lyons explained that her purpose for engaging people was because she heard the word "gun" and she wanted to make sure that the people did not get involved in what was going on elsewhere on the property.

Sergeant Lyons stated that she did not feel as though she was in danger, while she was there, and felt as if the situation was coming towards an end. Sergeant Lyons went on to state that although she knew that there were a bunch of Officers on the ground fighting with someone, she did not get involved as she didn't feel as though she could have helped with that situation.

Sergeant Lyons stated that she did not see anyone resisting arrests, nor did she see anyone assaulting any Police Officers. Sergeant Lyons also stated that she used no force while she was at the scene. Sergeant Lyons stated that she did not know if anyone on scene was intoxicated and when the situation was over, she returned to the animal shelter and finished the email for her overtime assignment. The undersigned Sergeant has determined Sergeant Lyons did not commit any Bridgeport Police Department Policies and/or Procedures violations at this time.

The undersigned Sergeant has determined Sergeant Stacy Lyons has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

8. Sergeant Paul Scillia

Summary of Official Explanatory Report authored by Sergeant Scillia to Lieutenant Sapiro.

On October 22, 2017, the following statement was composed and signed by Sergeant Paul Scillia and was addressed to his supervisor Lieutenant Sapiro. This statement was dated 10/22/17 and documented Sergeant Scillia's account of his conduct with Mr. Peter Diaz while he was booking on 10/21/17. Mr. Diaz was arrested on 10/21/17 at 316 Colorado Avenue and had been transported to booking. Sergeant Scillia makes no reference to his conduct while at 316 Colorado Avenue concerning Mr. Mendez which is later explored during his interview with the undersigned investigator on October 27, 2017.

"To: Lieutenant Sapiro
From: Sergeant Paul Scillia
Date: 10/22/17
Regarding: Booking Facility Prisoner

Sir,

On the above date, about 2330 hours I was assisting the Booking Staff with a belligerent Prisoner who was in Cell 7 who needed to go to the hospital due to a complaint of injuries. As the Medics were attempting to seat this Prisoner Diez, Peter [CGS Sec.] in a Stair Chair one of his seat belts became unfastened. Seeing this I reattached the plastic buckle, but the belt was still loose. I tried to tighten up the belt across his body, so he wouldn't fall out of said chair once in motion. I used my right hand and as it was tightening the belt had more give than I thought, and my hand slipped causing the outside of my right hand to come in contact (bumping) into Diez's chin area. No injury occurred. Diez accused me of striking him. It was obviously him continuing to be belligerent.

Then the Medics began to move the chair in the tight area between Cell 7, and the ramp area, Diez was in. Believing they were moving him one way, I began to step in another direction and my right foot accidentally made contact with his feet. Again, Diez accused me of kicking him. Diez then left for medical treatment." **End of Statement**

Summary of statement given by Sergeant Scillia summarized by Sergeant John Burke, Sergeant Scillia stated the following among other things:

On October 27, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Sergeant Paul Scillia in the Office of Internal Affairs. *See Sergeant Scillia's complete statement for specific details.*

Sergeant Paul Scillia stated amongst other things he has been a police officer for fifteen years and is presently a sergeant in the patrol division working on the C shift between the hours of 16:00 hours and 24:00 hours. Sergeant Scillia stated his call sign is CPS. He explained the call sign is related to the VCI (Violent Crime Initiative). CPS now referred to as the VCI has officers who have call signs of CP 1 through CP 4. The acronym VCI was defined by Sergeant Scillia as the Violent Crime Initiative a proactive group of officers who target areas of city having spikes in crime. In addition to other areas of the city the Chief of Police would like the unit to work, in an effort to bring down crime statistics pertaining to the crimes of robbery, burglary and other related crimes. They, the (VCI) also work with other law enforcement agencies.

Sergeant Paul Scillia stated he was working on the evening of October 21, 2017 as CPS and his supervisor was Lieutenant Robert Sapiro. Sergeant Scillia explained he reports to Deputy Chief James

Baraja in relation to his tasks. When in a patrol setting, he reports directly to the person in charge above him who may be in charge of patrol or whoever the Lieutenant may be.

Sergeant Paul Scillia stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out by an Officer on scene who needed help. Sergeant Scillia explained a 10-32 meant an officer was in distress. He explained a 10-32 is a more heightened signal than just asking for regular cover to come help out. A 10-32 meant there is something violent occurring or something is causing the Officer to fear for his safety and because of this everyone who can responds to the location.

Sergeant Scillia responded to 316 Colorado Avenue from the East Side of the City and upon his arrival the incident was winding down. Upon his arrival there was yelling, screaming and it was a loud bad scene. It was a chaotic kind of scene but appeared officers were gaining control of it.

Officers were taking people out in handcuffs, down the driveway and out to their cars. Sergeant Scillia states he made his way down the driveway and a couple of males were being belligerent; he did not know who they were. There were other people sitting down, he guessed, these people were the ones behaving. They were just sitting there being compliant, he guessed, Officers were talking with other people and other males.

As Sergeant Scillia walked in, there was a guy walking a sport bike out, trying to get on it, and having an issue getting on it. This guy kind of fell over and Sergeant Scillia tried to help pick him up. His bike fell into Sergeant Scillia causing him to fall into a van. Sergeant Scillia helped push him up again and right him on his bike. Sergeant Long walked up to Sergeant Scillia and asked "Hey, is this guy wanted for anything, can he leave?" Sergeant Scillia responded "Dude, ah, he had to walk through a bunch of cops. I think he's okay." Sergeant Scillia went on to explain he did not recall talking to any individual citizens other than the interaction he had with this guy (the guy on the sport bike). Sergeant Scillia stated he was not sure if he saw any children on scene.

As Sergeant Scillia walked down the driveway, "at his 4 o'clock," he heard somebody say "it" and thought it was Officer Szeps, "This guy got to go to jail." Sergeant Scillia looked, and guessed, Officer Szeps meant to get the suspect (Mr. Carmelo Mendez) and not let him be placed in handcuffs but to be grabbed from behind and for whatever reason the suspect kind of like stepped at Sergeant Scillia. Sergeant Scillia stated he did not think the suspect was pushed but it seemed like he was pushed. Sergeant Scillia did not recall if he made contact with the suspect at this point or not but then the suspect went to the ground and a bunch of other Officers got on top of the suspect. At this point Sergeant Scillia walked around to the rear of the pile where the suspect was "trying to get arrested or was half trying to resist" (page 6, line 243-243) and an Officer was trying to handcuff him.

Sergeant Scillia could see the suspect's legs flapping up and down; this was the only thing that was really visible to Sergeant Scillia of the suspect. Sergeant Scillia heard Officers and felt it was a ruckus, he could not pinpoint in particular what every Officer was saying by any means or who was on top of the suspect. Sergeant Scillia knew there were a lot of bodies on the suspect trying to get his hands and then he heard somebody yell, "Gun, gun, gun." Sergeant Scillia walked around to the side of the pile because he just did not know where to put himself. He explained, when you hear "that" (Gun, gun, gun), you just don't know what to do with yourself. Sergeant Scillia stated he was not really actively trying because there was no room for him to try and help.

Sergeant Scillia heard somebody say, "I got the gun, I got the gun" shortly after hearing "I got the gun, I got the gun" the suspect was handcuffed and everybody kind of got off of the suspect (Mr. Carmelo Mendez). The suspect was laying there in handcuffs. Sergeant Scillia said, all right, come on we have to get him up and get him in a car. *Sergeant Scillia said he attempted to hook his arm around the suspect to*

pull him up and the suspect was heavier than he thought. The suspect kind of, like either, threw him off balance or he started falling down with the suspect and other Officers saw this, Officer Szeps was one of them. The other Officers helped pick the suspect up on his feet and another Officer or two walked down the driveway with suspect. Sergeant Scillia said this was the only contact he had with the suspect.

Sergeant Scillia walked back out to the street and was trying to help the supervisors. One of the supervisors figured out who had bodies (suspects) in their cars and had to go to booking, it was a traffic jam now; Sergeant Scillia said this was mainly it. Sergeant Scillia further explained he knew that another civilian (Mr. Jose Rosario) was in a car flying through the street, almost hitting them (Officers) and had to be stopped. This civilian was arrested for reckless driving, that was really it, and Sergeant Scillia stated he then went to booking.

Sergeant Scillia was asked if at any time he felt like he was in immediate danger. He said during the whole event they were all in pretty much danger. The scene was not under control just yet when he got there, as far as he was concerned, it was still a safety issue for the Officers. They were winding down getting control, but they didn't have control yet. He did not feel he or any Officers had control of the environment yet; "do I feel directly like my life was in danger? On some point-on some level sure." (Page 8, line 355-356)

Sergeant Scillia was asked if he helped with the arrest of the individual on the ground (Mr. Mendez). *Sergeant Scillia said the only contact he had with the guy, the gentleman with the gun, he thought, was when the suspect was shoved into him initially.* Sergeant Scillia could not remember but thought the suspect might have bounced off of him. Sergeant Scillia stated all he remembered was the guy going to the ground and Officers piled on him. He could not get in there to help because there was no room, so he went to where the suspect's feet were and did not know what else to do other than keep security for Officers. He did this so nobody from the back would come running in, or in case relatives showed up drunk trying to jump on the Officers. This is when he heard gun - gun - gun "I got the gun," shortly thereafter as Officers got off of the suspect (Mr. Carmelo Mendez), he was just lying there. Sergeant Scillia stated he did not know who yelled gun and he did not see a gun and *his contact with the suspect was trying to pick the suspect up.*

Sergeant Scillia was asked if he saw any other Officers get assaulted, he said no. *He saw Officer Szeps initially go hands on with the suspect (Mr. Carmelo Mendez) and it was a blur after that because there were so many people and there were so many Officers that filled a small area so quickly, he did not know.* He saw the guy on the ground resisting; the guy would not give them his hand. Sergeant Scillia stated he really could not see the guy because of all the Officers around him but the suspect was not giving them his hands because they were yelling, "Give me your hand, give me your hands," "Get him cuffed get him cuffed." Sergeant Scillia felt the suspect was resisting because the suspect "did not exactly turn and say, okay you can take me to jail now, and put his hands behind his back." (Page 10, line 427-428) At this point in the interview Sergeant Scillia was informed the guy on the ground was Mr. Carmelo Mendez.

Sergeant Scillia was asked if he struck Mr. Carmelo Mendez, he said no. He was asked if he saw any Officers strike Mr. Mendez he said, no. He was asked if he struck Mr. Mendez after he was handcuffed he said, no. He was asked if he saw any Officer strike Mr. Mendez after he was handcuffed he said, no.

Sergeant Scillia was asked at what point he moved away from Mr. Mendez once the situation was under control and once Mr. Mendez was on his feet. Sergeant Scillia stated once Mr. Mendez was on his feet, he did not recall for how long, but he walked with Mr. Mendez holding his arm. Sergeant Scillia did not recall how far he walked down the driveway and did not recall walking very far with Mr. Mendez because several Officers or at least two Officers grabbed control of Mr. Mendez and took him to the car. *Sergeant Scillia said he did not think he walked because when people saw him struggling, they lifted the suspect up*

and he let go of the suspect and they took him. He said everything was kind of a little cloudy as far as how many steps he took when he was holding suspect. Sergeant Scillia was asked if he saw other supervisors on scene. He said he saw Sergeant Long and Sergeant Delgado, he did not remember seeing any Lieutenants or Captains.

Sergeant Scillia was asked if he carries a baton or asp he said, no. He was asked if he saw anyone using a baton or an asp. He said he remembered hearing the voice of Detective Forts saying, "Give me an asp or who's got a baton" or something to that effect. Sergeant Scillia did not know if Detective Forts got one or what he did with it.

Sergeant Scillia was asked if he had to use any force during the incident he said he did not recall, no. He was asked if he saw anyone strike Mr. Mendez with baton or asp he said, no. He was asked if he struck Mr. Mendez in any way with a boot, a fist, hands, knees, elbows, any object prior to him being handcuffed he said, no. Sergeant Scillia was asked if he struck Mr. Mendez after Mr. Mendez was handcuffed he said, no. Sergeant Scillia said he was not sure of who actually cuffed Mr. Mendez.

Sergeant Scillia was asked to estimate the amount of time he was on scene between the time he walked in and saw Mr. Mendez being taken to the ground where he bumped into him until the time he was cuffed and walked out. Sergeant Scillia estimated six to eight minutes, he said it was not too short, but it was not too long either. He was asked if he was able to see if Mr. Mendez had injuries as he helped Mr. Mendez up he said, no, and did not remember if he had injuries. Sergeant Scillia was asked about the lighting in the yard. He said it was not bright, it was a typical long driveway, lighting at night, you could see things, but it was not super bright, like if you were standing under a street light.

Sergeant Scillia was asked if he assisted in any other crowd control or anything after Mr. Mendez was removed from the scene. He said, yes, he would say he did not go out to the street quickly he remembered going back into the driveway and accessing what else was going on. It looked like control was being restored so he walked out to the street. He remembered thinking to himself, as a supervisor, in case ambulances are needed; let's clear the road, because the road was clogged with police cars and regular traffic.

He remembered he walked out and may have even got on the radio. He called off anyone else who was not there yet. He did not want anybody crashing to get to a scene; they did not need to be at anymore. He thought he had called off the Fairfield Police Department because they were coming as mutual assistance. He tried to see and make an account of how many people were going to jail and how many Officers had people in cars including prisoners. He saw at least two or three that had to go, that is when he started yelling, "Hey, we got to open this road, move your cars." Then another citizen, in a pickup truck, was flying in at them almost running Officers over in the street. The citizen stopped, and they got the citizen out of the car and they did not know what the hell, and thought, he was maybe, a part of this, or he was a relative or something, and "got him out of the car." (Page 14, line 626) The citizen was placed under arrest for reckless driving. Sergeant Scillia remembers this very clearly because he had to get in the citizens truck and move it to clear the street and moved it to the side. Sergeant Scillia then walked back to his car and went to booking. Sergeant Scillia stated he did not transport anyone to booking. Sergeant Scillia was asked if he carries a Taser he said, yes. He said he did not deploy his Taser nor did he pull it out.

Sergeant Scillia was asked if he saw if any of the citizens were intoxicated or if he saw alcohol anywhere he said he smelled it. He did not evaluate people sitting down but he could smell it, dumped beer on the ground, or something, he could smell the aroma of alcohol, it was kind of in the air. People were screaming, yelling and people were getting pulled away in handcuffs. In his mind the scene was going a "thousand miles a minute." (Page 15, line 664) He had come to the scene code from the East Side, he

expressed, we all know Bridgeport drivers; this was a little chaotic for him. When he got there his adrenaline was already going up. He was listening to Channel 1 to the Officers asking for help and he could hear the chaos in the background causing his anxiety to go up. Sergeant Scillia said when got there he was not in the "frame of mind that he was here" (in the interview). (Page 15, line 673) He was thinking 100 miles ahead, like, Oh God, what's going on, are any Officers hurt? He walked in interpreting things as he got there. He was interpreting it from a position of his adrenaline being up, what's going on, kind of thing. In his opinion of the whole scene, they did not have control yet. "A few people in handcuffs, that's great, but how many people are in the house? Who else is going to come out? Who is going to come down the street? In his opinion it was not under control yet and although it looked like Officers were gaining control, slowly, it still was not in control yet." (Page 16, line 678-682) In his opinion everyone was still in danger and they have to, like, they have to get control. Sergeant Scillia stated he was not sure of how many Officers were on scene, he thought the whole shift would have been there, if they could, and did not believe any Officers were hurt.

Sergeant Scillia was asked if he felt the crowd was being belligerent or defiant towards the police. He said, yes, they were noncompliant, he thought he heard a couple of them say, "fuck the pigs, and you're a bunch of pussies." (Page 17, line 719) He felt they really hated the cops and they were violently angry, yelling slurs at the police. Sergeant Scillia was asked if he entered the home or instructed anyone to enter the home he said, no.

Sergeant Scillia was asked if he talked to any supervisors on scene he said he spoke with Sergeant Long because they walked in together. Sergeant Scillia thought he even asked Sergeant Long "Hey, what was this?" Sergeant Scillia thought it might have been a noise complaint but was like, this has got to be something else.

Sergeant Scillia was asked if he called for the medics or if he asked any of his Officers if anyone needed medical attention he said, no, he did not see any medics on scene. When he walked in, he asked, as he walked by officers, "Are you okay, is everybody good?" but didn't ask, hey, do you need medics? People were being arrested, they were in cars, or being brought to cars, and they did not seem like they needed the medics at the time, they were yelling profanity.

Sergeant Scillia was asked if he wrote any reports, pertaining to, what had happened or what he observed at 316 Colorado Avenue, he said, no. He was asked if anyone directed him to write any reports for the incident at 316 Colorado Avenue he said, no. Sergeant Scillia was asked what he did when he cleared 316 Colorado Avenue; he said he went to booking.

Sergeant Scillia was asked if he saw a wheelchair prior to leaving Colorado Avenue, on Colorado Avenue, either on the property or in the street. He said he saw an Officer putting a wheelchair in the trunk, but he did not see which Officer. He expressed, he found it a little peculiar, but his hands were kind of full at the time. He stated he was in the street at the time probably a good 30 meters away from the car with the wheelchair.

Sergeant Scillia was asked if he saw the Officer pull off with the wheelchair, he said he was not paying attention anymore. Sergeant Scillia was asked if he saw the wheelchair fall out of the police car. He explained he wasn't paying attention anymore, after he saw an Officer putting the wheelchair in the trunk, he stopped paying attention. He stated he was down the street and thought he may have been standing with other Officers at the time. He said his car was located in the opposite direction of the car with the wheelchair. He had parked his car far away when he arrived on scene because he did not know what he was encountering and did not want to pull up in front of the house.

Sergeant Scillia was asked if anyone came to him to tell him a wheelchair fell out of a police car he said, no. Sergeant Scillia stated that he did not push the wheelchair with his foot to the side of the road nor did

he pick the wheelchair up. When asked, why an Officer would put a wheelchair in the back of a police car, he said, he assumed, the wheelchair was part of the arrest, as evidence, or belonged to someone who was getting arrested.

Sergeant Scillia was asked how many Officers he had under his command, he said four. He was asked if any of the Officers under his command were at the incident. He said the only one he could recall being there was Officer Cruz. He was asked if Officer Cruz was involved in the arrest, he stated he did not know. He was asked if he saw him there. Sergeant Scillia said he saw his face; he was kind of like, in the driveway, when he walked in, he saw him standing here. Sergeant Scillia was asked, during the arrest of Mr. Mendez if he saw Officer Cruz or any of his other men. Sergeant Scillia said he did not remember, he did not think so, he did not recall, no.

Earlier in his statement Sergeant Scillia stated Mr. Mendez was on the ground and was kicking his feet. He was now asked, if Mr. Mendez was face up or face down, Sergeant Scillia stated he was face down and he saw his feet moving up and down.

Sergeant Scillia was asked who he thought was in charge of the scene, he said he did not know. He was asked how many supervisors he saw. He said he saw Sergeant Delgado and Sergeant Long and did not recall seeing any Lieutenants or Captains. He was asked, who he thought had control of the scene, and he stated he did not know. He was asked who should have had control of the scene. "He said, he guesses, whoever the Blue Sector sergeant was, since it was on the Blue side, if he were there." (Page 24 line 1048-1050) He said, you know, at that point with something like this, it's kind of like, a team effort at that point.

Sergeant Scillia was asked if he took part in the arrest of Mr. Mendez when he was on the ground. Sergeant Scillia responded by asking, took part how? He was asked if he assisted the guys during the arrest or not. *He said no, the only assistance he gave was trying to pick Mr. Mendez up off the ground. He then said, yes, okay, he picked him up to help, effectively put him in the car to take him to booking, so yes, that's what he did.*

Sergeant Scillia was asked if he knew why Mr. Mendez was taken to the ground to begin with, he said, no. He was asked if he was there for the take down he said, yes, when asked if he had any idea why they took Mr. Mendez to the ground he said, no. Then explained he heard an Officer say, "This guy has got to go booking," or "This guy got to get arrested," or "This guy got to go to jail," something to that effect and believed it was Officer Szeps who said it.

Sergeant Scillia was asked again other than Mr. Mendez being shoved into him; was there other contact by him (Sergeant Scillia) and Mr. Mendez, Sergeant Scillia said no. *Sergeant Scillia was asked, there was no contact while he was on the ground other than picking him up, he said yes.* Sergeant Scillia was asked if he wore a watch while he is on duty he said yes. He was asked if at any point during the arrest of Mr. Mendez he had to adjust his wristwatch, he stated he did not know, he doesn't remember, it's Velcro, maybe, he doesn't remember.

Sergeant Scillia was asked if he carries any other weapons used for striking an individual besides an asp or anything like that, he said he has a gun a Taser, keys, two handcuffs, a radio, it never came out of its holster. He was asked again if he carried other weapons he said, no he does not.

Sergeant Scillia was asked if Mr. Mendez was handcuffed while he was walking with him for a short distance after he had picked him up he said yes. Sergeant Scillia was asked if he heard an asp being extended, he said no. He was asked if he heard an asp being used he said no, he was asked if he saw an

asp being used he said no. Sergeant Scillia was asked to estimate the amount of time he was on scene from the time he arrived until the time he left he estimated he was on scene approximately an hour.

Sergeant Scillia was asked if he saw any Officer or civilian strike Mr. Mendez. Sergeant Scillia responded with the following question; *after he was cuffed or at all? The response to his question, after he was cuffed or at all, was you tell me, Sergeant Scillia said no, he meant he saw them in a pile with Mr. Mendez on the ground, but did he see an Officer an individual Officer actually strike Mr. Mendez, no. Sergeant Scillia was asked if he saw an Officer strike Mr. Mendez after he was cuffed he said no. He was then asked how about before he was cuffed, he replied with the following: he, right now, he is going to say no, he meant, he doesn't really recall each individual Officer, like, what they were doing on top of him it was a big pile.*

Sergeant Scillia was asked if he was looking at the pile he said yes. He was asked what he observed, he said he saw the rear ends of Officers and saw feet kicking. He saw bodies of Officers on top of him (Mr. Carmelo Mendez) and did not recall if anybody was striking him, he did not know.

At this point in the interview a break was taken at the request of Sergeant Scillia and his union steward, the break began at 03:40 pm (1540 hours). The interview with Sergeant Scillia resumed at 03:48 (15:48 hours).

Sergeant Scillia was asked if he saw anybody strike Mr. Mendez he said no. He was asked if he if he heard Mr. Mendez say anything while he was on the ground he said no. He was asked if he had said anything to Mr. Mendez, he responded with the following, "I don't, I don't, maybe when I picked him up, I kind of said, all right, come on, get up, kind of thing but, no, I did not talk to him before that. Sergeant Scillia was asked if he said anything to Mr. Mendez while he was on the ground he said, well, no, I mean, even if I did he wouldn't have heard me there was so many people, on top of me, there was a lot of yelling, no." (Part 2, Page 1 line 31-41) Sergeant Scillia was asked, while Mr. Mendez was on the ground if he heard any Officer say anything to him he said no. He then said he remembered an Officer saying give me your hands, show me your hands, something to that effect. He did not know how many of the Officers said it and did not who it is.

Sergeant Scillia was asked if he had handed anything to another Officer while Mr. Mendez was on the ground he said no. He was asked if another Officer handed him something while Mr. Mendez was on the ground he said he did not think so, no. He was asked if he dropped anything while Mr. Mendez was on the ground he said no. He was asked if he picked something up while Mr. Mendez was on the ground he said he did not think so, no.

Sergeant Scillia was asked if he heard Mr. Mendez yelling, they are hitting me, they are punching me, Sergeant Scillia said, he did not remember, no, he did not remember that. He was asked about the point Mr. Mendez was cuffed whether or not he remembered who had the gun or who found the gun, or where the gun was found, he said he did not remember but he remember in booking he (Mr. Mendez) had a holster on him and thought it was on his right side or right hip.

Sergeant Scillia was asked about when they were on scene and it was chaotic and Mr. Mendez was on the ground, and the reason for being on the ground was because someone called out gun. Sergeant Scillia replied; "to be accurate Officer Szeps said, this guy's got to go to jail or he's got to go to booking whatever he said. At that point it looked like he's getting grabbed. It looked like he either came towards him or they bumped, Sergeant Scillia did not know how it happened. It was like kind of on his 4 o'clock side". (Part 2 Page 3, line 131-134) He gets taken to the ground because he is not being compliant after he says he is going to be arrested. He goes to the ground and Officers are trying to cuff him, while trying

to cuff him somebody yells gun -gun -gun. And because Sergeant Scillia was at the feet of Mr. Mendez when they said that (gun-gun-gun)

Sergeant Scillia went to the side because he didn't know where the hell to stand at that point. Shortly after that someone said I got the gun. Sergeant Scillia stated he kind of hung there because when he was finally cuffed, Officers got off of him; Sergeant Scillia was positioned on his side area.

Sergeant Scillia remembered he leaned in and tried to pick him (Mr. Mendez) up on his feet, after he was cuffed. *Sergeant Scillia was asked if he had leaned into Mr. Mendez at any time prior to him being cuffed he said no. Sergeant Scillia was asked if he had leaned into Mr. Mendez after he was cuffed he said yes to pick him up. He was asked if that was the only time he leaned in he said yes.*

At this point in the interview the questions concentrated on what had occurred after leaving 316 Colorado Avenue in the booking area. Sergeant Scillia was asked if he had responded to booking he said yes. He explained he responded to booking in his own car and had given Lieutenant Sapiro a ride because he needed a ride back. Sergeant Scillia was asked if Lieutenant Sapiro was on scene, he said, you know what now that he was thinking about it chronologically, he was there, but did not notice him until he had to give him a ride.

Sergeant Scillia was asked to describe the scene in booking when he arrived. He stated someone let all these people in at once, from the same party and he knew Jeff Long was now the booking sergeant because he took four hours after the shift.

Sergeant Scillia also took four hours after the shift as a road sergeant so he figured, let me go up there and see if any, you know, if anyone needs help or anything. When he got up there they were all, somebody let all of them in at once, all the people who were in custody from Colorado Avenue. They were all kind of in the cell and standing out in front of the desk and it was, in his opinion, pretty chaotic for booking. People were yelling, talking shit to them and calling them names. One dude just went on a tirade; he zoned in on Sergeant Scillia and was just talking shit to him for a good 20, 30 minutes. The gentleman (Mr. Mendez) with the gun was in the large holding cell waiting for the medics to come see him.

Sergeant Scillia stated another "dude," he did not know his name, but he was at the party, kept saying, he owned the house and there were cameras. They took him out of the cell because they were trying to get him processed and get him to a cell. He kept interrupting the medics or kept interrupting booking staff, trying to talk to the gentleman who had the gun, he kept yelling, "Don't talk to them, and don't say anything. He was an agitator that just kept it up. When the medics finally showed up Sergeant Scillia stood back while people were being processed. He did this just in case cuffs had to come off, in case they wanted to start fighting again or something like that.

Sergeant Scillia thought to himself; he had two new Civilian Detention Officers recruits at this time and thought they probably were not used to this and he stood there, the medics came and he stood between the medics with his back to the medics in the cell and was facing the one agitator guy because he did not want him to do anything to the medics and interrupt whatever they had to do.

Sergeant Scillia stood there and the medics showed up and evaluated people who claimed to have injuries. The gentleman with the gun (Mr. Mendez) was one of them. Sergeant Scillia thought the medics had called for another ambulance or something, they were waiting for something. He did not remember what they were waiting for but that is when the guy with the gun passed out. Sergeant Scillia heard a thud and he turned around, the guy was on the floor now. Sergeant Scillia grabbed the agitator and moved him over and place him on the other side of the desk and told him to shut up because he was still, "yakkety yakking."

Sergeant Scillia said to himself; this is serious; and they open up the cell again, the medics arrive, and they package him up for transport and he went into the ambulance. Another ambulance crew was there, and they said there was a guy up in cell seven who had to go to and was claiming injury. Sergeant Scillia said all right, Firpi and Figueroa were there he (Figueroa) went up there with two medics. Sergeant Scillia said to himself; let me go with them because now the agitator was in a cell across from the other dude (Mr. Diaz) who was claiming injury. Sergeant Scillia did not know if this guy (Mr. Diaz) could fire him up. Sergeant Scillia stated he did not know what the guy's injuries were, he was claiming, but went up there anyway. They get to the cell and the dude is there, the guy you know, they are going to treat you, and he is being insulting and belligerent and everything.

Sergeant Scillia explained the medics brought a stair chair with them to the cell because he (Mr. Diaz) was in a cell and there were steps and a ramp leading to the cell. The chair had wheels which could be maneuvered around to get him out, a stretcher would not fit. They (the medics) have the chair positioned in front of a cell and Sergeant Scillia, if looking at the cell, was standing to the left. The medics put (Mr. Diaz) in the chair and as they were cinching up his belts and what not, one of his belts became undone. Sergeant Scillia states he did not know if they did not clasp it right or if they forgot about it, he honestly did not know but saw it hanging there. What caught Sergeant Scillia's eye was that the buckle was kind of swinging, so he looked down at it and saw that it goes on his chest area. Sergeant Scillia said to himself; well, he's got to go down this ramp and he did not want him to fall out of the chair, let me re-clasp the buckle and tighten it, you know, cinch it in.

Sergeant Scillia clasps the buckle and cinched it in. Sergeant Scillia explained the belt had more give than he thought, and he ended up cinching it in, his right hand, he thought, made contact with either his (Mr. Diaz) chin or underneath his chin. Sergeant Scillia said, oh, geez, you know, little too much. Mr. Diaz said, "Oh, you struck me." Sergeant Scillia said, "Dude, I didn't, ""Dude, stop." "It was a mistake, man." Sergeant Scillia states he then tried to maneuver around and his feet and brushed into his (Mr. Diaz) feet. (Mr. Diaz) said "Oh, now you're, you know, you're walking into me, oh, I see what's."

Sergeant Scillia said they get him (Mr. Diaz) going down the ramp and they get him away from the cell. While Sergeant Scillia was walking and they're walking him out down the ramp he was being a little factious towards (Mr. Diaz). Sergeant Scillia said all right, bye, I'll see you later, being a little factious, Sergeant Scillia expressed; it was a rough night. But now that he was sitting here (in the interview) obviously in front of you gentleman (investigators), everyone's calm, thinking back, it wasn't very helpful, and he should not have done that. It was wrong of him; he admits that all day long, that was stupid of him, he should have known better. Sergeant Scillia thought he had also gone to (Figueroa) because he was the senior guy on the floor plus he was in the cell block with him so he told him (Figueroa), "Hey, listen I accidentally smacked the guy in the face when I was cinching his belt and I ended up brushing into his feet or something to that effect, just so you know, kind of thing." Sergeant Scillia explained he has known (Figueroa) since he has been a cop, 15 years, and he knows how he is and looks at him and he had this look of like, "strain on his face like he was like, eh, like he was just like, pissed off or something." (Page 7 line 313-314) Sergeant Scillia stated he gave him like a silent gesture and patted him on the back because he kind of felt bad because this is how he is. Sergeant Scillia thought that this was the only thing he said. He stated he should have documented this because this guy (Mr. Diaz) was already making accusations, so let me document it.

Sergeant Scillia went to Sergeant Long who was in the office and said, "Listen, this is what just happened I'm going to document it and I'll let Lieutenant Sapiro know." And he's like, "Okay." Sergeant Scillia went down to the office in patrol, Lieutenant Sapiro was there. Sergeant Scillia said "Hey, Lou, listen, this is what happened." And told him what happened, and he was going to do a 9X to him about it, just to cover, it was like an accident. So, he (Lieutenant Sapiro) goes "Okay." Sergeant Scillia did it and once his

9X was completed he walked back into the office and said, "Hey, listen, I have my 9X," so they had a discussion about what he should do with the 9X.

They came to the conclusion to bring it up to Sergeant Long and put it with all the other paperwork since he was collecting it all from the incident that was going on up there. Sergeant Scillia said okay and brought it up to him. He (Sergeant Long) called Lieutenant Dickerson per protocol and Sergeant Scillia was in the office when he did. That was that and Sergeant Scillia stood there in case Lieutenant Dickerson had any questions and he did not, and that was that. Sergeant Scillia gave him (Sergeant Long) his 9X and thought he probably left the facility because he was a sector sergeant that night, so he thought he went back to his car.

Sergeant Scillia was asked when he arrived at booking if everyone was already inside he said yes and did not remember if he saw anyone bringing anyone into booking. He was asked if Sergeant Long was already in booking when he arrived he said he thought Sergeant Long was and he was the one he saw. Sergeant Scillia was asked if he had seen any altercation in booking by the front intake desk he said no, nor did he hear an altercation taking place in booking. Sergeant Scillia stated that he heard insults and belligerence being hurled at the staff and Officers by parties that were brought in that was standing there. He stated he was in the back as he came in and he could hear it, he said to himself; let me stand on the floor, because there was Figueroa and two new Civilian Detention Officers he believes were still on probation and Sergeant Long was there. He said to himself; "you know what, let me stand here just to try and keep the peace, God forbid something breaks out." (Part 2 Page 9 line 383-385)

Sergeant Scillia was asked if he assisted in placing anyone who was cuffed or un-cuffed into the bullpen, the big cell. He said he assisted taking one, two or maybe one out. He really did not remember but did not want to say no because he actually did remember helping people in and out of that cell. But then again it could have been the medics going in and out of it, too, when the guy passed he really did not remember.

Sergeant Scillia was asked if he saw Officer Lattanzio at the front intake desk, he said no, he did not recall, no. He was asked if he saw Officer Faroni at the intake desk, he said he did not remember. He was asked if he saw any Officers strike any individuals at the intake desk he said no. He was asked if he saw any arrested parties spit on any officers, he said no.

It was brought to Sergeant Scillia's attention about the guy he had mentioned, who claimed to be the owner of the house, and was zoning in on him. Sergeant Scillia was asked how he interacted with him. Sergeant Scillia said, yes he played his game a little bit, to try and preoccupy him, so he would stop yelling at the medics, interrupting or stop yelling at the gentleman that had the gun, to pull his attention away from the medics, because he wanted to let him talk shit to him a little bit. He was telling the other prisoners not to talk to the Officer.

Sergeant Scillia was asked if he saw the medics in booking he said yes. He was asked about when he heard a thud, and somebody hit the ground. He explained no one was with the person who fell. He turned around and saw what it was; there was the gentleman on the ground face down. At this point the little game he was having back and forth with that other guy was over because now it was serious. Sergeant Scillia grabbed him by his shoulders and walked him over to the other side of the desk and there was another officer doing something. He told him (the guy) "to stay there and shut the fuck up and just stay right there and stop yelling." (Part 2 Page 11, line 475-477) A detention officer opened the cell. Sergeant Scillia was one of the first in and the medics also went in because they were still right there. They helped kind of, like roll him over, onto like, a recovery position and he came to and they asked him questions and stuff. Another stair chair showed up at the cell door Sergeant Scillia believes and then they help pick him up and put him in the chair. He was then expedited out to the ambulance.

Sergeant Scillia was asked if he smelled alcohol when helping him in the cell, he said he did not remember. Sergeant Scillia was asked if he saw any injuries on the person he helped who had fallen in the cell he said yes. It looked like he had like blood from something. *(Part 2 Page 12, line 506-507)* Sergeant Scillia noticed red marks on his forehead, they were peculiar to him. Sergeant Scillia was asked, if he asked him, if he was hurt from falling, he said he did not ask. He was asked if the injuries looked like injuries that someone would get from a fall. He responded with, the red marks, from that thud, no because there was more than one. They just appeared to be little circles, as he looked at him, he wondered, what that was, what is that from, he did not know. Sergeant Scillia stated he saw these marks on his forehead and thought he saw two above his right eye, maybe.

Sergeant Scillia was then asked about the cell block area of booking were there are individual cells and what he had seen happen while he was in this area. He explained that somebody, and assumed the only detention officer up there was Figueroa, opened the door. Sergeant Scillia was asked if he had seen an interaction between Officer Figueroa and the individual Mr. Peter Diaz. He said yes, when he (Mr. Diaz) was placed in the seat Figueroa had some sort of quick back and forth about something, he really did not know, he was not paying attention. It was something, some sort of back and forth and Figueroa stood up and walked off. He thought it was over some sort of loose relative connection, but he was not really paying attention to something like that.

Sergeant Scillia was asked if Mr. Diaz was giving Figueroa a hard time. He said, well for the record he was giving everybody a hard time, but he was unable to recall the reason why. They were going to shackle his ankles one ankle could not be shackled due to a swollen ankle or something like that. It could not go around so he (Figueroa) hooked him to the stair chair; the other cuff was hooked to the stair chair. Sergeant Scillia remembered his ankle was too swollen to put the cuff/shackle around. He was asked if Figueroa was a relative of Mr. Diaz, he said no, he did not think so; he was not really paying attention. There was some quick back and forth about somebody's wife or cousin or something like that. It did not sound like they were blood related.

Sergeant Scillia was asked if the medics were there with a stair chair he said yes. He was asked if they had strapped Mr. Diaz in, he said he thought they did. Sergeant Scillia observed one of the straps; the buckle was not attached because it was hanging. He saw it hanging and it was one that went across his chest and thought, that's not good. As soon as he saw it he addressed the issue and reattached it. He went to snug it in, to make sure he does not; there was no play, so it does not loosen up. In doing so unfortunately there was more give in the belt than he thought, he ended up going to snug it up and his hand made contact with his face (Mr. Diaz).

Sergeant Scillia was asked if he had to clip the buckle into place he said yes. He was asked when he tightened it, if it tightened, and which way the strap went. He stated that "it goes up; he saw the loose part of the strap. He said, you know what I mean, it's like here's a strap, there's the buckle, he forgot which way the buckle went but all he knew is the loose part of the strap for tightening, cinching he guessed, the cinching motion, cinches was on top, to go up that is why he was cinching up." *(Part 2, Page 16 line 697-705)* Sergeant Scillia was asked if the buckle went across his chest or his neck or his stomach. He said his neck he means it looked like it crossed his torso somehow. He was asked if the medics were there when this happened he said yes. He was asked if he told the medics he said no. He was asked if he had taken it upon himself, he said he took it upon himself to re-clasp the buckle. He was asked if he had used this type of chair before. He said yes, he used to be a SWAT medic and he was an EMT before this job. He said he got his cert, he did not work anywhere but, had to be trained in all that stuff anyway, so when he saw it, he was like, oh, I know what this is.

Sergeant Scillia was asked why he felt he had to tell Officer Figueroa he had strapped him (Mr. Diaz) in and had hit him in the face by mistake. He said, well, he was the most senior guy on the floor as far as he

was concerned. He was up on the block with him and he did not know where he (Figueroa) went when it happened but he was up in the block with him. And just for the fact of the guy is coming back making accusations, something like that, he meant, he will know what it is about, and he will have knowledge of it.

Sergeant Scillia was asked if Officer Figueroa saw what happened he said he did not think so, he did not see him there and did not know if he had walked off he did not know where he went.

Sergeant Scillia was asked if anything else happen other than the strap hitting his (Mr. Diaz) face by mistake or his hand. He said yes, he went to move around him and his feet brushed into his (Mr. Diaz) feet. Sergeant Scillia stated this was a mistake. He explained that in cell seven, the block at cell seven, if memory serves, it is right where the hand railing begins for the walk, the alley, the walk down the block and the ramp, there is a railing there so nobody falls off into the ramp. Sergeant Scillia wanted to move around them, there is not a lot of space, and as he went to move around him (Mr. Diaz) he (Sergeant Scillia) just was not paying attention and he ended up, brushing into his (Mr. Diaz) feet, with his (Sergeant Scillia) feet.

Sergeant Scillia was asked if Mr. Diaz was being belligerent and uncooperative with him, he said yes, he was being belligerent. He did not remember what Mr. Diaz was saying, he just know he was not a very nice person. Sergeant Scillia was asked if Mr. Diaz upset him or if he was upset because of the way Mr. Diaz was acting he said no.

Sergeant Scillia was asked if he had deliberately hit Mr. Diaz in the face when he pull the strap to tighten it up he said no. He was asked if he deliberately kicked the ankle of Mr. Diaz as he walk around him he said no. Sergeant Scillia was asked what Mr. Diaz said when he hit him in the face accidentally.

Sergeant Scillia explained he did not remember verbatim, it was something along the lines, Oh; you are going to hit me now; or something like that. Sergeant Scillia said he responded to Mr. Diaz with, oops, I'm sorry, I mean that was a mistake, he did not mean it, he could not remember verbatim.

Sergeant Scillia was asked what Mr. Diaz said when he brushed his ankle. Sergeant Scillia said he did not remember but it was something like, I see, oh, he was yelling back and forth to the other guy in the cell, they were kind of yelling to each other, it was a mish-mash between them back and forth, he did not remember. Sergeant Scillia was asked if he was aware that Mr. Diaz had a bad ankle, he said yes. Sergeant Scillia was asked if he had apologized to Mr. Diaz for hitting him in the face. He said he could not remember if he said he was sorry, or oops it was a mistake. He did not remember if he actually used the word sorry. Sergeant Scillia was asked if he apologized for brushing his foot, he said he did not remember.

Sergeant Scillia was asked who the Officer was who was standing behind him when dealing with Mr. Diaz. He stated, "Figueroa, or you mean." (*Part 2 page 20, line 892*) It was explained to Sergeant Scillia there was a Police Officer standing behind him, he said, the police officer, there was, he did not remember. He was asked if he remembered the Officer saying anything, he said no.

Sergeant Scillia was asked about his explanation of the buckle and whether or not he was saying the medics did not fasten the buckle correctly, he stated he was saying that the buckle was unclasped in front of him and he did not know why but he went to clasp it and tighten it.

Sergeant Scillia was asked if he was there with the medics, while they put Mr. Diaz in the chair and put the strap on him he said yes. He was asked if he was saying they, (the medics) did not buckle it correctly he said, it appears that way yes.

Sergeant Scillia was asked if he told Detention Officer Firpi anything. He said he did not remember, maybe, he did not remember. Maybe, when he was talking to Figueroa, maybe, he did not know, maybe he was addressing both of them. He did not remember exactly, he just remembers talking to Figueroa.

Sergeant Scillia was asked if he thought it was proper for him to wave goodbye to Mr. Diaz and to say he hoped he feels better and stuff like that. He said no he should have known better.

It was brought to Sergeant Scillia's attention he had mentioned he talked to somebody about who he was to give his official report to. He was asked whether it was Lieutenant Sapiro or Sergeant Jeff Long. He stated he had a discussion with Jeff Long and might have mentioned it to Sergeant Delgado who was also in the back because he was collecting paperwork. Sergeant Scillia stated he completed his 9X in the patrol office. He stated he went to speak with Jeff about what happened and who he should give his 9X to and who should get it. He thought he went to the back and saw Delgado and told him what happened and thought he asked him advice, who he should give the 9X to because he know they were both collecting paperwork.

Sergeant Scillia was asked if Sergeant Delgado had asked him to write a report he said no.

Sergeant Scillia was asked if he had gone into the back area of booking where all the officers were writing report he said yes. He was asked if he had asked what happened or if he had found out from anyone what happened at 316 Colorado Avenue. He said he got an idea of what happened from officers telling him, it was drips and drabs, because officers were giving their account of what they did. He then explained he remembered asking on scene "What was this," and he thought somebody was said, "Oh, this was a noise complaint." he said "Are you sure." And they said, "Yeah," and then it just escalated into this.

Sergeant Scillia was asked if there was anything he wanted to add to his statement. He stated he did not recall anybody asking him to do a report. He was asked if he thought he should have done a report he said, no, for picking somebody up to bring them to a car, he didn't feel as though he needed, that would need to be done. He was asked if the incident in cell was a use of force, he said no it was a mistake.

Summary of Video Footage capturing the conduct of Sergeant Paul Scillia.

The following is a summary of several videos which were obtained during the course of this investigation capturing the conduct of Sergeant Paul Scillia on the October 21, 2017 and October 22, 2017 at the following locations: 316 Colorado Avenue Bridgeport CT, 300 Congress Street Bridgeport CT in the Booking Area, Male Cell Area Cell number 7 and the Report Writing Area in the rear of the booking area.

1. Video Name: **10-21-17 316 Colorado Avenue Berke USB**, this particular video captured several different views of 316 Colorado Avenue. The views/cameras were named ch01, ch02, ch03, ch04, ch05, ch06 and ch07. The data captured by these cameras were stored in segments/files identified by time stamps in military time. The following is a summary of what was captured relative to the conduct of Sergeant Scillia.

On October 21, 2017 Sergeant Scillia is captured on view/camera ch07, segment 222410-223244 at 10:28:35PM (time stamp on video) arriving from the left side of the house (316 Colorado Avenue) walking towards the driveway. Sergeant Scillia aids a male on a motorcycle and then walks down the driveway towards the rear of home at 10:29:32PM (time stamp on video).

(View/camera ch06, segment 221251-222942) At 10:29:32PM (time stamp on video) Sergeant Scillia is walking past a gate midway in the driveway and is present and in full view of Officer Szeps taking Mr. Mendez to the ground at 10:29:36PM (time stamp on video).

(View/camera ch06, segment 222942-224634) At 10:29:42PM (time stamp on video) Sergeant Scillia is present at the beginning and during the arrest of Mr. Mendez. Sergeant Scillia attempts to aid in the arrest of Mr. Mendez at 10:29:54PM, by what appears to be placing his hands on Mr. Mendez or an Officer in front of him who is moving around, in an attempt gain control.

(View/camera ch06, segment 222942-224634) At 10:29:57 Sergeant Scillia with his right hand appears to punch to Mr. Mendez while he is on the ground, at this point in the video it appears Mr. Mendez is not yet handcuffed.

(View/camera ch06, segment 222942-224634) At 10:29:58 Sergeant Scillia appears to kick or stomp on Mr. Mendez using his right leg. Sergeant Scillia then steps into the group of Officers who have circled Mr. Mendez, attempting to take control of Mr. Mendez while he is on the ground. Sergeant Scillia maintains this position observing Officers during the arrest Mr. Mendez to its conclusion.

(View/camera ch06, segment 222942-224634) At 10:30:30PM it appears Officer Szeps has completed handcuffing Mr. Mendez. Officer Szeps stands up to the left of Sergeant Scillia. Sergeant Scillia touches Officer Szeps on the left shoulder and appears to instruct other Officers circled around Mr. Mendez to pick Mr. Mendez up by motioning with his left hand, thumbs up. Other Officers involved begin to stand up and back away from Mr. Mendez who is lying on the ground and believed to be handcuffed at this point.

(View/camera ch06, segment 222942-224634) At 10:30:33PM it appears Sergeant Scillia thrusts forward with a left-handed punch and a right legged stomp striking Mr. Mendez while he is handcuffed and lying on the ground.

(View/camera ch06, segment 222942-224634) At 10:30:40PM Sergeant Scillia reaches down and grabs Mr. Mendez with both hands and picks Mr. Mendez up off the ground and is aided by Officer Szeps to bring Mr. Mendez to his feet. Sergeant Scillia is then seen pointing and appears to give direction to Officers who are still circled around Mr. Mendez. Mr. Mendez is then walked away in handcuffs by Officer Szeps and Officer Silva.

(View/camera ch06, segment 222942-224634) At 10:31:11PM Sergeant Scillia walks down the driveway towards the street (316 Colorado Avenue).

(View/camera ch07, segment 222410-223244) At 10:31:39PM Sergeant Scillia walks into the street (Colorado Avenue).

(View/camera ch07, segment 223244-224804) At 10:32:07PM Sergeant Scillia speaks with Sergeant Waehler in the street.

(View/camera ch07, segment 223244-224804) At 10:34:09 Sergeant Scillia starts to clear the street of traffic and persons.

(View/camera ch07, segment 223244-224804) At 10:38:40PM a speeding truck passes by the driveway of 316 Colorado Avenue. *(Mr. Jose Rosario is arrested, he was the driver of the speeding truck, refer to file number 171021-307for details).*

(View/camera ch01, segment 222930-224622) At 10:40:18 PM Sergeant Scillia moves the speeding truck forward out of the way so traffic can pass on Colorado Avenue. At 10:43:07 Sergeant Scillia walks out of view.

2. Video Name: **10-21-17 Booking Area 25 hours**, this particular series of videos captures several different views within the Booking Area of the Bridgeport Police Department located at 300 Congress Street. There were 14 different views/cameras in this video series each view has its own camera name e.g. PD1-8 REPORT WRITING AREA, PD1-11 BOOKING DESK SIDE and so forth.

The following is a summary of several videos which were obtained during the course of this investigation capturing the conduct of Sergeant Paul Scillia on the October 21, 2017 and October 22, 2017 while he was in Booking Area of the Bridgeport Police Department after the incident occurred at 316 Colorado Avenue.

(View/camera PD1-8 REPORT WRITING AREA) On October 21, 2017 Sergeant Scillia is captured on view/camera PD1-8 REPORT WRITING AREA arriving at 10:56:03 PM (time stamp on video) also in the room is Officer Szeps and Officer Cruz. Officer Szeps shows Sergeant Scillia the magazine and gun recovered from Mr. Mendez during the 316 Colorado Avenue incident. As the video progresses several Officers enter the room while Sergeant Scillia is present and they appear to discuss the events which occurred at 316 Colorado Avenue. At 11:01:14 Officer Bepko while speaking to Sergeant Scillia appears to demonstrate the injuries sustained by Mr. Mendez by making a circle with his index finger and thumb and pressing his fingers against the right temple area of his own face several times. Several more Officers enter the room and continue to speak with each other and Sergeant Scillia until 11:09:16PM. Sergeant Scillia is speaking with Officers during this time frame for approximately fourteen minutes before leaving this area of booking. After speaking with the Officers Sergeant Scillia walks away and into the view of one of the following booking desk views/cameras: PD1-6 BOOKING DESK BEHIND, PD-11 BOOKING DESK FRONT, PD1-5 BOOKING DESK SIDE, and CITY-PD BOOKING MONEY COUNTER.

3. Video Name: **10-21-17 Booking Desk 4 views with audio**, this particular series of videos captures four different views of the Booking Desk Area within the Bridgeport Police Department located at 300 Congress Street. PD1-6 BOOKING DESK BEHIND, PD1-11 BOOKING DESK FRONT, PD1-5 BOOKING DESK SIDE, CITY-PD BOOKING MONEY COUNTER.

(View/camera PD1-11 BOOKING DESK FRONT) At 11:09:16 Sergeant Scillia walks in and observes the processing of individuals arrested at 316 Colorado Avenue he also speaks with Detention Officer Firpi and the Booking Sergeant, Sergeant Long.

(View/camera PD1-5 BOOKING DESK SIDE) At 11:10:28PM Sergeant Scillia takes a different position in processing area of booking and continues to observe the processing of prisoners.

(View/camera PD1-5 BOOKING DESK SIDE) At 11:20:43PM Sergeant Scillia speaks with Mr. Mendez who is sitting in the holding cell and ends his conversation with Mr. Mendez at 11:21:52 PM and continues to observe the activity in booking while speaking with and another arrest person Mr. Morales who is be processed in front of the booking desk.

(View/camera PD1-5 BOOKING DESK SIDE and PD1-HOLDING CELL REAR) At 11:31:00PM Mr. Mendez, who is in the holding cell handcuffed, falls backwards in the holding cell while speaking with Officer Silva, and falls to the floor of the holding cell. Sergeant Scillia takes notice and moves Mr. Morales away from the holding cell, Mr. Morales asks Sergeant Scillia if it was necessary to move him, Sergeant Scillia says yes, it was, stay there and shut up. Sergeant Scillia then enters the holding cell with the medics at 11:31:22PM to help Mr. Mendez who is now lying on the floor handcuffed. Mr. Mendez is placed in a neck brace and sat in a medical chair by the medics at 11:34:19PM. Mr. Mendez is wheeled out of booking and placed in an ambulance at 11:36:22PM by the medics and Sergeant Scillia is present, (View/camera PD1-10 SALLY PORT RAMP).

(View/camera PD1-6 BOOKING DESK SIDE) At 11:44:08PM Sergeant Scillia enters booking again and briefly walks into the male cell block area with Sergeant Long and reenters the booking area.

(View/camera PD1-8 REPORT WRITING AREA) At 11:45:18 Sergeant Scillia walks back into the report writing area and hands Officer Szeps a holster. At 11:45:29 Sergeant Scillia and Officer Szeps walk out of the view of this camera in the direction of a rear stairway at the back of the report writing room. At 11:47:07PM Sergeant Scillia and Officer Szeps return to the room and are back in view of the camera. Sergeant Scillia remains in the report writing area until 11:49:43 speaking with Officers who are present.

(View/camera PD1-11 BOOKING DESK FRONT) At 11:49:44 Sergeant Scillia reenters the booking area and speaks with Officer Pecirep while requesting an addition unit to report to booking for a transport for another arrest person (Mr. Peter Diaz). Sergeant Scillia and Officer Pecirep assist each other with the preparation of Mr. Diaz for transport. At 11:51:36 Sergeant Scillia, Officer Pecirep, Detention Officer Figueroa, a male and female medic enter the male cell block area with a medical chair to help transport Mr. Diaz who has an injured leg.

4. Video Name: **Male Cell Area 25 hours**, this particular series of videos captures fourteen different cells of the male cell block area of the Bridgeport Police Department located at 300 Congress Street. Each view/camera has its own name for e.g. PD3-6 MALE 6 and PD3-7 MALE 7

The following is a summary of the video obtained during the course of this investigation capturing the conduct of Sergeant Paul Scillia on the October 21, 2017 and October 22, 2017 while in the male cell block area preparing Mr. Peter Diaz for transport to the hospital. Sergeant Scillia, Officer Pecirep, Detention Officer Figueroa, a male and female medic are captured in front of cells PD3-6 MALE 6 and PD3-7 MALE 7 while removing Mr. Diaz for transport to the hospital.

(View/camera Cells PD3-6 MALE 6 and PD3-7 MALE 7) At 11:51:46 Sergeant Scillia, Officer Pecirep, Detention Officer Figueroa, a male and female medic with a medical chair approach the area of male cell number 6 and male cell number 7 which are next to each other. Mr. Diaz is secured in cell number 7 and is about to be removed for transport to the hospital for treatment to his leg.

(View/camera PD3-7 MALE 7) At 11:52:50 the medics place the medical chair in cell number 7 and Mr. Diaz is able to sit in it Mr. Diaz is handcuffed. The Medics then wheel Mr. Diaz out of the cell into the walk way portion of the cell block Sergeant Scillia, Officer Pecirep and Detention Officer Figueroa are on lookers.

(View/camera PD3-7 MALE 7) At 11:53:00 a strap attached to the medical chair is placed over the chest area of Mr. Diaz by both the male and female medics it is then buckled and snugged up into place by the medics, Sergeant Scillia, Officer Pecirep and Detention Officer Figueroa are on lookers.

(View/camera Cells PD3-6 MALE 6 and PD3-7 MALE 7) At 11:53:19 the medic wheel Mr. Diaz backward further into the walk way of the male cell block to create room for Detention Officer Figueroa who is attempting to shackle the ankles of Mr. Diaz before transport, Sergeant Scillia, Officer Pecirep and the medics are on lookers.

(View/camera Cells PD3-6 MALE 6 and PD3-7 MALE 7) At 11:53:40 Detention Officer Figueroa pokes Mr. Diaz in the chest and they begin to argue Sergeant Scillia, Officer Pecirep and the medics are on lookers.

(View/camera Cells PD3-6 MALE 6 and PD3-7 MALE 7) At 11:53:44 Sergeant Scillia during the argument grabs a secondary strap which appears to have been not used by the medics to fasten Mr. Diaz to the chair. This secondary strap had a buckle attached to it and was attached to the medical chair Mr. Diaz was sitting in. Sergeant Scillia buckles it in the chest area of Mr. Diaz. Sergeant Scillia then grips the strap with both hands, pulls the strap in an upward motion to snug it, and strikes Mr. Diaz in the face with enough force to thrust his head backwards, lifting the front of the medical chair, Officer Pecirep and the medics are on lookers.

(View/camera Cells PD3-6 MALE 6 and PD3-7 MALE 7) At 11:53:51 after striking Mr. Diaz in the face Mr. Diaz looks at Sergeant Scillia. Sergeant Scillia does not appear to make eye contact with Mr. Diaz nor does Sergeant Scillia show and body language that would indicate he had accidentally struck Mr. Diaz in the face.

(View/camera Cells PD3-6 MALE 6 and PD3-7 MALE 7) At 11:53:52 Detention Officer Figueroa completes the shackling of Mr. Diaz and moves out of the way so Mr. Diaz can be wheeled down the ramp of the male cell block area by the medics who then pull Mr. Diaz further backwards in the walk way of the cell block. At 11:54:00 Sergeant Scillia walks in front of Mr. Diaz and makes contact with his feet one of which being injured. Sergeant Scillia makes contact with Mr. Diaz by sweeping his right leg in front of Mr. Diaz brushing the feet of Mr. Diaz. After making contact with the injured foot/leg of Mr. Diaz, Mr. Diaz briefly looks at Sergeant Scillia. Sergeant Scillia does not appear to make eye contact with Mr. Diaz nor does Sergeant Scillia show and body language that would indicate he had accidentally made contact with his injured foot/leg. Officer Pecirep and the medics are on lookers. Mr. Diaz is then wheeled back to the booking area.

(View/camera PD1-6 BOOKING DESK BEHIND) At 11:54:31 Mr. Diaz is wheeled into the booking area Sergeant Scillia, Officer Pecirep, Officer Manning and Detention Officer Figueroa and Firpi and the medics are present. At 11:55:15 Mr. Diaz is wheeled out of booking by the medics. As Mr. Diaz is wheeled out Sergeant Scillia begins to ridicule Mr. Diaz in a sarcastic tone with the following remarks: Have fun sir, hope you feel better, I hope you feel better pal, see you later buddy.

(View/camera PD1-6 BOOKING DESK BEHIND) At 11:55:31 Sergeant Scillia shuts the door behind Mr. Diaz as he leaves with the medics. Sergeant Scillia then begins to justify his conduct with Mr. Diaz to Detention Officer Figueroa and Detention Officer Firpi by explaining what he had done while in the male cell block with Mr. Diaz. Sergeant Scillia states the following at 11:55:29: Yeah, my hand slipped and hit him in the face by accident, when I was putting the seat belt on, so you know. Sergeant Scillia then pats Detention Officer Figueroa on the back. Sergeant Scillia then explains the following: and I then tripped, and my foot tripped right into his bad ankle, I didn't mean to, it was very tight, Detention Officer Figueroa exhaled and Sergeant Scillia says to Detention Officer Figueroa, they get under your skin.

(View/camera PD1-8 REPORT WRITING AREA) At 11:56:58PM Sergeant Scillia goes back into the report writing area and walks by the Officers and out of camera view at 11:57:27.

(View/camera PD1-8 REPORT WRITING AREA) At 12:03:23AM on October 22, 2017 Sergeant Scillia comes back and walks into the booking area.

(View/camera PD1-6 BOOKING DESK BEHIND) At 12:03:49 Sergeant Scillia asks Detention Officer Firpi what the name of the individual was that just left. Officer Firpi gives him the name Mr. Peter Diaz. He then asked what cell Mr. Diaz was in and Officer Firpi tells him cell number 7.

(View/camera PD1-6 BOOKING DESK BEHIND) At 12:07:23 AM Sergeant Scillia walks away thought the report writing area again then returns at 12:51:12AM and speaks with Sergeant Delgado until 12:52:28AM.

(View/camera PD1-2 PHOTO AREA) At 12:52:36AM Sergeant Scillia walks into the Sergeants Office in the rear of booking and at 01:21:58 Sergeant Delgado walks into the Sergeants Office. Sergeant Scillia remains in the sergeant's office until 01:29:59AM at which time he walks out and through the report writing area passing several Officers and is out of camera view at 01:30:12AM on October 22, 2017.

The undersigned Sergeant has determined, based on the statement of Sergeant Paul Scillia coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Sergeant Paul Scillia has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

9. Sergeant Ivan Delgado

Official Explanatory Report authored by Sergeant Ivan Delgado to Captain Kevin Gilleran.

On October 21, 2017 I was the sergeant assigned to the Blue sector (west side). At approximately 2215hrs I heard channel one dispatched Blue 11 Officer McLaughlin to the area of Colorado Ave and State St on a noise complaint. Soon after Officer McLaughlin transmitted that she need it extra assistance at 316 Colorado Ave due to unruly individuals at a loud party at said location. After her transmission, Officer Mazzacco who was now on scene as a cover unit, called a 10-32 (officer need assistance / all available units go). He stated that at this point party goers had turned hostile towards officers and the party need it to be shut down and some of the individuals were going to be place under arrest.

At approximately 2230hrs I jumped in the passenger side of a patrol vehicle along with Sgt. Long and headed towards 316 Colorado Ave. We arrived at said location at approximately 2235hrs along with several other units. As I walked towards the side of the house that leads to the back yard. I observed some individuals that were already in the rear seat of police vehicles. Also observed several officers escorting other individuals out of the back yard already in cuffs. It should be noted that all the individuals that I observed where very combative, cursing at officers and appeared to be intoxicated. The scene was chaotic as other party goers that were compliant walked out in order to leave.

At this point I walked into the back yard where I observed several tables, chairs and Halloween decoration. Also observed several empty bottles of alcoholic beverage on the tables and thrown about the yard. I then saw Officer Stern approached a party later identified as Mendez, Carmelo, who was recording the incident with his cell phone and tell him something like "is was time to leave". Officer Stern placed his hand on Mendez arm in order to guide him out. At this point Mendez swung his arm in an outward motion to prevent any further contact. Mendez stated, "don't touch me, this is my house". Mendez became uncooperative and continued the hostility towards the officers on scene. Officer Szeps who was nearby approached Mendez and advised him that he was now under arrest and placed his hands behind his back. Officer Szeps reached out to take control of Mendez as he pulled away and stated, "get the fuck off me".

Mendez appeared to be intoxicated. He would not comply with verbal commands and at this point Officer Szeps took Mendez to the ground where a struggle ensued (see officer's Szeps addendum and use of force). At this point other party goers, who identified themselves as family of the home owner, remained on scene as they were very cooperative with officers. I approached Officer Mazzacco who advised me that all the parties that were hostile and uncooperative towards officers where now under arrest. I then walked out of the back yard and instructed for officers to start transporting arrestees into booking.

At approximately 2310 hrs. I arrived in booking where I met with several officers that were involved in this incident. I advised them of the need to complete all pertinent paperwork (Addendums / Use force reports) before going home. While in booking I approached the big holding cell where some of the parties arrested were placed. I approached them with the intent to get their account of what took place, I was received with several verbal insults and a lot of hostility.

A party identified as Morales, Fernando instructed everyone in the cell no to talk to me and stated that his lawyer will take care everything. I returned to the report room and remained there until all reports were completed. During this time, I was advised By Officer McLaughlin that Officer Blackwell was on scene and had helped with detaining and cuffing a female on scene. I immediately called Officer Blackwell via cell phone who then informed me that he was already home. I instructed him to complete his addendum the following date October 22. I also had a phone conversation with you (Capt. Gilleran) where you instructed me to email you all the completed reports (main file and addendums). This task was completed at 0446hrs on October 22.

On October 23, 2017 I returned to work (overtime detail on my second day off). I was instructed by you to complete all the Use of Force report which I did. At 0023hrs on October 24 all completed Use of Force reports with cover report and conclusion were e-mailed to you. You also instructed me to retain the originals and turn them over to Lt. Sapero upon returning to work.

On October 24 at approximately 1043hrs you called me via cell phone and requested to turn all the originals Use of Force report to you as soon as possible. At approximately 1121hrs I came into patrol while off duty (third day off) and placed in your mail box an envelope containing all originals Use of Force reports along with copies of the main report and addendums completed by officers. While completing said task I also completed this report to document my actions on the day of the incident as well the days after.

On October 27, 2017, Sergeant John Burke and Sergeant Jessie Pizarro conducted a taped interview of Sergeant Ivan Delgado in the Office of Internal Affairs. *See Sergeant Delgado's complete statement for specific details.*

Summary of statement given by Sergeant Ivan Delgado, summarized by Sergeant Fabio Pereira, Sergeant, Delgado stated the following among other things:

On October 27, 2017, Sergeant John Burke and Sergeant Jessie Pizarro conducted a taped interview of Sergeant Ivan Delgado in the Office of Internal Affairs. *See Sergeant Delgado's complete statement for specific details.*

Sergeant Delgado has been employed with the City of Bridgeport as a Police Officer for approximately 10 years. Sergeant Delgado stated that when the call of the 10-32 (Officer needs assistance) went out over the radio he saw Sergeant Jeffrey Long running towards a car, so he jumped in the car with him. Sergeant Delgado articulated that Sergeant Long drove while he was the passenger. Sergeant Delgado relates that upon their arrival at Colorado Avenue there were multiple cars and people on scene.

Sergeant Delgado states that as he got near the house, he remembered some Officers escorting Mr. Fernando Morales out. Sergeant Delgado notes that Mr. Morales was very vocal and that he was cursing at the Officers while he was handcuffed. Sergeant Delgado explains that he continued towards the back of the house and came across Officer Michael Mazzacco and quickly asked him if he was okay since he was the one that had called for assistance.

According to Sergeant Delgado, there was a gate open that lead to the back yard and he walked in and noticed multiple tables and that the yard was littered with alcohol bottles and Halloween decorations. Sergeant Delgado conveys that he observed a "Spanish individual" (Mr. Carmelo Mendez) who had a camera or a phone recording the incident.

Sergeant Delgado continues that he then heard Officer Hugo Stern telling Mr. Mendez that he needed to go, and that Mr. Mendez responded by saying to Officer Stern, **"fuck you, don't touch me, I'm not going anywhere."** Sergeant Delgado indicates that he turned around and saw Officer Stern placing his hand on Mr. Mendez's right arm to guide him out of the area and then observed Mr. Mendez swing his arm around to get Officer Stern's hands off him.

Sergeant Delgado states that at this point, Officer Szeps was walking into the yard and believed that he observed the same thing he did and told Mr. Mendez that he was under arrest and **to turn around and place his hands behind his back.** Sergeant Delgado notes that as Officer Szeps walked toward Mr. Mendez, he grabbed him by the arm and Mr. Mendez started to pull away and said, **"fuck you, I'm not goin' nowhere this is my house."**

Sergeant Delgado relates that Officer Szeps took Mr. Mendez down to the ground and that he moved in to assist Officer Szeps at the same time as two or three other Officers came over in the process. Sergeant Delgado relays that during the process, he got hit in his upper lip and nose which caused his eyes to get watery. Sergeant Delgado explains that he looked away and started to walk away and that he then remembers Officer Szeps saying, "gun, gun."

Sergeant Delgado stated that he moved away and saw Officer Szeps lifting his arm and hand over a gun to Officer Stern. Sergeant Delgado continues that at that point, he walked towards the back of the yard and started to feel for his teeth and he felt a little blood in his mouth and spit a couple of times. Sergeant Delgado states that by the time he looked back, they already had Mr. Mendez in handcuffs and they were walking out of the yard.

Sergeant Delgado relates that as he started to walk out, he came across Officer Bobby Hernandez who was talking to the couple that were sitting down. Sergeant Delgado relates that Officer Hernandez was trying to get the couples information due to the fact there were some kids in the party that were taken inside the house. Sergeant Delgado indicated that he went to the sidewalk and started to get the Officers to move the car and to start to transport people to Booking.

Sergeant Delgado relates that he then saw a pickup truck coming at a high rate of speed to the point he couldn't go anywhere and then slammed on the brakes. Sergeant Delgado states that Officer Joseph Pires orders the individual to park his truck and then orders the individual out of the truck. Sergeant Delgado states that Officer Pires arrested the party for reckless driving. Sergeant Delgado notes that he didn't believe that the individual was part of the party. According to Sergeant Delgado, Officer Pires and Officer Linet Castillo-Jimenez stayed behind for the tow.

Sergeant Delgado relates that from there he assisted with clearing the scene and getting people to Booking. Sergeant Delgado states that he jumped back in the car with Sergeant Long to Congress Street and went up to Booking. Once in Booking, Sergeant Delgado states that he went towards the holding cell and observed that Mr. Mendez had a little bit of dried blood on his forehead and he asked him if he needed the medics and the Mr. Mendez said, "No." Sergeant Delgado states that he then heard Sergeant Long call for the medics.

Sergeant Delgado conveys that he tried to engage them in a conversation, but that Mr. Fernando Morales started to call him all kinds of names and turned towards Mr. Mendez and told him not to talk to the cops. Sergeant Delgado continues that he asked Mr. Mendez for his gun permit and advised him that he had 13 rounds in the magazine and Connecticut Law says that you can only have 10. Sergeant Delgado indicated that Mr. Mendez stated that he didn't have on him but did in fact have a gun permit and denied having 13 rounds in the magazine.

Sergeant Delgado relayed that he was made aware by Sergeant Long that Mr. Mendez had passed out in the cell and later transported to the Hospital. Sergeant Delgado stated that he was in the report room when Mr. Mendez passed out.

Sergeant Delgado stated that he then walked towards the report room and there were a number of officers there. Sergeant Delgado states that he then addressed the Officers that were on scene at 316 Colorado Avenue that they needed to write an addendum of what they did and whoever needs to do a Use of Force, it needs to be completed that night. Sergeant Delgado added that Captain Kevin Gilleran contacted him about the reports regarding Colorado Avenue and that he sent it to him through a PDF file. Sergeant Delgado states that he did not see anybody use a baton or an ASP during the incident but had read it in Officer Hernandez's report that Detective Fortes had used it in Mr. Mendez arrest. Sergeant

Delgado reports that he saw Detective Kenneth Fortes on Monday while he was working a road job and requested for Detective Fortes to complete one.

Sergeant Delgado added that while in Booking, he was informed by Officer Daniel Faroni that he needed to go back to Colorado Avenue because the wheelchair fell off. According to Sergeant Delgado, Officer Faroni relayed to him that one of the parties arrested had a leg injury and he was in a wheelchair. Sergeant Delgado stated that later on that night, he came across Officer Faroni who informed him that one of the family members had it on scene.

Summary of Video Footage provided by Mr. Carmelo Mendez

Under this video footage, Sergeant Delgado is observed walking in to the property at 2:40 into the video. Sergeant Delgado then walks behind Officer Stern who is walking towards Mr. Mendez. Once Mr. Mendez is taken to the ground the cell phone stops filming.

Summary of Video Footage provided by Attorney Robert Berke

By reviewing this video footage under Channel 7, Sergeant Delgado is observed walking towards the front of the property at 10:28:45 and then walks to the backyard at 10:29:19. Sergeant Delgado is observed walking behind Officer Stern who is walking towards Mr. Mendez. Once Mr. Mendez is then taken to the ground by Officer Szeps and Sergeant Delgado is observed going to the ground. As soon as Mr. Mendez goes down, Sergeant Delgado follows, however, he quickly disappears from the camera view at 10:29:34.

Note that Sergeant Delgado indicates in his statement that Officer Szeps took Mr. Mendez down to the ground and that he moved in to assist Officer Szeps at the same time as two or three other Officers came over in the process. Sergeant Delgado relayed that during the process, he got hit in his upper lip and nose which caused his eyes to get watery. Sergeant Delgado explains that he looked away and started to walk away and that he then remembers Officer Szeps saying, "gun, gun." Sergeant Delgado stated that he moved away and saw Officer Szeps lifting Mr. Mendez's arm and hand over a gun to Officer Stern. By reviewing the video footage, these actions cannot be seen or confirmed.

Sergeant Delgado is seen in the video again at 10:30:40 at which point, Mr. Mendez is being picked up and escorted out of the property. Sergeant Delgado stays in the backyard as other officers are there and goes back and forth between the front of the house and the backyard. At 10:39:05, Sergeant Delgado walks over to the incident involving the pick-up truck and stays on scene speaking to the officers. Under Channel 1, at 10:44:40 Sergeant Delgado is observed leaving the scene and walking over to his patrol car which is out of camera view.

Summary of Booking Video

By reviewing the Booking Video, Sergeant Delgado is observed entering Booking at 22:55:43 hours by entering the door that is closest to the Holding Cell. Sergeant Delgado then walks in to the report writing room and walks back out and attempts to speak to Mr. Mendez who is inside the holding cell. The viewer can hear Sergeant Delgado speaking to Mr. Mendez about his pistol permit. Sergeant Delgado then speaks to Mr. Mendez about him having 15 rounds in the magazine.

Also, inside the holding cell is Mr. Fernando Morales who tells Mr. Mendez to not to speak to Sergeant Delgado and keeps interrupting Sergeant Delgado as he is speaking to Mr. Mendez. Mr. Morales then tells Sergeant Delgado to, "Suck a big dick". Due to several people talking at the same time it is hard to hear the conversation between Sergeant Delgado and Mr. Mendez.

Sergeant Delgado then stays in the Processing area for a few minutes and then goes to the report writing and speaks to the Officers that are there. Note that there is no audio in the report writing room. Sergeant Delgado remains the remainder of his time in the report writing room until he leaves at 04:59:25am on October 22, 2017.

The undersigned Sergeant has determined, has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

10. Civilian Detention Officer Paul Humphrey

Summary of statement given by Detention Officer Paul Humphrey, summarized by Sergeant Milton Johnson, Detention Officer Humphrey stated the following among other things:

On October 27, 2017, Sergeant Santiago LLanos and Sergeant Milton Johnson conducted a taped interview of Detention Officer Paul Humphrey in the Office of Internal Affairs. *See Detention Officer Humphrey's complete statement for specific details.*

Detention Officer Humphrey has been employed with the City of Bridgeport as a Detention Officer for approximately 13 years. Detention Officer Humphrey stated that on October 21, 2017, he was assigned as a Detention Officer during the evening shift which began at 1500hrs and ends at 2300hrs. Detention Officer Humphrey went on to state that he was working with Detention Officer Denise May, and Detention Officer Angelique Cruz, who was training at the time. Detention Officer Humphrey also stated that Sergeant Mark Belinkie was their supervisor for that shift.

Detention Officer Humphrey added that they were somehow notified that a large group was coming in. Detention Officer Humphrey stated that when the prisoners arrived, Sergeant Belinkie had already left and the midnight shift sergeant had not yet arrived, causing for a chaotic situation. Detention Officer Humphrey stated that he is unsure if Sergeant Belinkie knew that the group was coming.

Detention Officer Humphrey went on to state that he went to assist Officer Faroni in "literally dragging Peter Diaz up the stairs" (*Page 15, line 639*) and Officer Lattanzio came in with another prisoner, whom Detention Officer Humphrey was unable to name at the time. Detention Officer Humphrey continued, stating that several other males came in and were ushered into the holding cell, and two female prisoners came in and were brought to a different area.

Detention Officer Humphrey stated that, due to their aggressive behavior, the prisoners must have been intoxicated. Detention Officer Humphrey added that a situation such as this is unusual, as one or two prisoners are usually allowed to be brought in at a time while others would be made to wait outside in the patrol car, or inside the sally port area.

Detention Officer Humphrey stated that he was at the holding cell talking with Carmelo Mendez, who was visibly injured and cooperative when he noticed that tensions between Officer Lattanzio and Peter Diaz were heating up. Detention Officer Humphrey added that the two had been "going at it the whole time" even though Officer Faroni was processing Mr. Diaz and Officer Lattanzio was processing another prisoner.

Detention Officer Humphrey went on to state that upon noticing the rising tension between Officer Lattanzio and Mr. Diaz, he started over to become a buffer between the two when he observed Mr. Diaz spit in Officer Lattanzio's face. Detention Officer Humphrey stated that Officer Lattanzio "hit" Mr. Diaz who then fell to the floor. Detention Officer Humphrey noted that Mr. Diaz was handcuffed at the time.

Detention Officer Humphrey stated that he, Officer Faroni and Officer Silva picked Mr. Diaz up, placed him in a chair and rolled him up the ramp and to cell number 7. Detention Officer Humphrey added that he did not see Officer Lattanzio kick Mr. Diaz. After helping to get Mr. Diaz into the cell, Detention Officer Humphrey stated that it must have been after 2300hrs, because Detention Officers Firpi and Figueroa had arrived, as well as Sergeant Long, who was assigned as the midnight shift Booking Sergeant.

Detention Officer Humphrey went on to state that he advised Sergeant Long about Mendez's need for medical attention, and Sergeant Long called for the medics to be notified. Detention Officer Humphrey stated that he, Detention Officer May and Detention Officer Cruz left booking at approximately 2320hrs.

The undersigned Sergeant has determined, based on the statement of Detention Officer Paul Humphrey coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Detention Officer Humphrey has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

11. Police Officer Geraldo Ortiz

Summary of the statement given by Officer Geraldo Ortiz, summarized by Sergeant Lawrence Lazaro, Officer Ortiz stated the following among other things:

On October 27, 2017, Sergeant Larry Lazaro and Sergeant Jesse Pizarro conducted a taped interview of Officer Geraldo Ortiz in the Office of Internal Affairs. *See Officer Ortiz's complete statement for specific details.*

Officer Ortiz has been employed with the City of Bridgeport as a Police Officer for approximately 24 years. Officer Ortiz stated that on the night of October 21, 2017 Officer Ortiz was on overtime and assigned to car Green 31 with Officer Stanitis. Upon arrival at 316 Colorado Avenue Officer Ortiz observed a tumultuous scene. He stated there were Officers and Citizens yelling at each other, loud music playing and Officers from adjacent towns on scene as well.

Officer Ortiz and his partner proceeded down the driveway of 316 Colorado Avenue towards the back yard where he observed a melee taking place. As he continued his approach he could see what appeared to be a melee that was actually a group of Officers attempting to handcuff an individual on the ground. Officer Ortiz states he could hear the Officers yelling at the individual ordering him to stop resisting as he made his way into the back yard towards the crowd of people that were yelling to assure they did not interfere with the Officers attempting to affect the arrest.

Officer Ortiz states he remained in the back yard doing crowd control until the Officers stood the individual up that was on the ground and escorted him to the front of the residence. It was then that Officer Ortiz walked to the front yard to meet up with his partner. Once there, they returned to their vehicle and resumed patrol in their assigned sector which was the east side designated the "Green Sector". At no time following the incident did they report to patrol. Officer Ortiz did not complete any reports pertaining to the incident.

The undersigned Sergeant has determined Officer Geraldo Ortiz has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

12. Civilian Detention Officer Denise May

Summary of statement given by Detention Officer Denise May, summarized by Sergeant Milton Johnson, Detention Officer May stated the following among other things:

On October 27, 2017, Sergeant Santiago LLanos and Sergeant Milton Johnson conducted a taped interview of Detention Officer Denis May in the Office of Internal Affairs. *See Detention Officer May's complete statement for specific details.*

Detention Officer May has been employed with the City of Bridgeport as a Detention Officer for approximately 13 years. Detention Officer May stated that on October 21, 2017, she was assigned as a Detention Officer during the evening shift which began at 1500hrs and ends at 2300hrs. Detention Officer May went on to state that she was working with Detention Officer Paul Humphrey, and Detention Officer Angelique Cruz, who was training at the time. Detention Officer May also stated that although initially unsure, Sergeant Mark Belinkie was their supervisor for that shift.

Detention Officer May stated that she heard over the police radio, which is in the booking area, that a large group of individuals were being transported to booking as a result of them having been arrested. Detention Officer May also stated that Sergeant Belinkie had left, prior to the arrival of the group of prisoners, and the midnight shift supervisor had not yet arrived. Detention Officer May stated that if no supervisor is on the floor, they would normal call down to patrol to have one sent up, but that did not happen.

Detention Officer May went on to state that, under normal circumstances, no more than two prisoners are allowed into booking at the same time. The rest would be required to wait in the police cars, or in the sally port area. However, in this particular circumstance, the first prisoner to arrive was Peter Diaz, whom was unable to walk, and thus needed assistance. Detention Officer May stated that she held the button to keep the sally port door unlocked, as Detention Officer Humphrey went out to assist in getting Mr. Diaz into the booking area.

Detention Officer May went on to state that, as Detention Officer Humphrey and another officer were assisting Mr. Diaz in the sally port, several other officers along with their prisoners went around and entered the booking area. Detention Officer May described the situation as "chaotic" and "blur" but stated that her focus was on Mr. Diaz getting into the building.

Detention Officer May stated that she directed officers to start putting people into the holding cell, and she estimated that approximately five males were placed there. Detention Officer May went on to state that two males were outside of the holding cell being processed, and two female prisoners were brought toward where the finger print and photographing station is located. Detention Officer May added that all of the prisoners, aside from the females, were belligerent, however, some of the male prisoners were cooperative with the police.

Detention Officer May stated that as she was in the back area assisting with the pat downs of the female prisoners, she was able to hear "voices getting really loud". Detention Officer May went on to state that she went to the front and attempted to bring some calm to the situation by stating something to the effect of "We not having this up in here".

Detention Officer May continued, stating that while she was behind the booking desk, she observed Mr. Diaz do a "spitting motion", and so she stepped down to get to the other side. Detention Officer May noted that she did not see any liquid spit come from Diaz's mouth. Detention Officer May stated that by the time she stepped down and came around the booking desk, Mr. Diaz was on the ground and officers were attempting to get him out of the way.

Detention Officer May stated that she did not see Officer Lattanzio punch Mr. Diaz, but also stated that the height of booking desk, in conjunction with her own height (5'2') would have prevented her from seeing it. Detention Officer May added that Mr. Diaz was handcuffed at the time. Detention Officer May also added that Mr. Diaz was placed in a chair and pushed up to cell number 7.

Detention Officer May stated that after Mr. Diaz got into the cell, she returned to assist with the female prisoners. Detention Officer May recalled that one of the prisoners came in that was visibly injured but was unsure of what was done about it.

Detention Officer May stated that Detention Officers Firpi and Figueroa arrived for the start of their shifts, and she advised Detention Officer Firpi of the situation as best she could. Detention Officer May went on to state that Sergeant Long also arrived and was the midnight shift booking supervisor. Detention Officer May stated that she left booking at approximately 2315hrs.

The undersigned Sergeant has determined Civilian Detention Officer Denise May has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

13. Lieutenant Robert Sapiro

Summary of statement given by Lieutenant Robert Sapiro, summarized by Sergeant Milton Johnson, Lieutenant Sapiro stated the following among other things:

On October 28, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Lieutenant Robert Sapiro in the Office of Internal Affairs. *See Lieutenant Sapiro's complete statement for specific details.*

Lieutenant Sapiro has been employed with the City of Bridgeport as a Police Officer for approximately 26 years. Lieutenant Sapiro stated that on October 21, 2017, he was assigned as the patrol shift commander and was in the patrol Lieutenant's office when the signal 32 was called.

Lieutenant Sapiro went on to state that he got into a patrol car that was operated by Sergeant Scott Whaehler and traveled to the location, but when they arrived, they parked near the corner of Fairfield Avenue and Colorado Avenue as there were numerous cars and the street was nearly blocked. Lieutenant Sapiro continued on, stating that as he approached the house, he observed officers attempting to put a suspect into the back of a vehicle, and as he approached the rear yard, from the driveway, he observed several Halloween decorations.

Lieutenant Sapiro stated that he observed officers escorting a woman, assumingly in handcuffs, out of the rear yard. Lieutenant Sapiro went on to state that he observed more party decorations, a swimming pool and several tables with liquor bottles and glasses on them when he got to the rear yard of the property. Lieutenant Sapiro added that there were not many citizens remaining on scene, as they must have left prior to his arrival, but he did observe two couples that were seated in the rear yard, as well as a DJ (disc jockey) that was packing up in the rear left corner of the yard.

Lieutenant Sapiro stated that he observed "something going on and then suddenly", he heard "Gun. He's got a gun." Lieutenant Sapiro went on to state that he then observed some officers bringing someone to the ground but was unable to see the person officers were on top of. Lieutenant Sapiro stated that the officers had that situation under control, and he did not "jump in".

Lieutenant Sapiro stated that he does not know who yelled gun, and he also does not know who the officers were that were dealing with that situation, as all he saw were the "backs of a lot of officers". Lieutenant Sapiro went on to state that he didn't want to focus on that one situation and lose what was going on because he had just arrived. Lieutenant Sapiro added that aside from that, the situation was pretty much over with.

Lieutenant Sapiro stated that Officer Mazzacco approached him and advised him of the situation. Lieutenant Sapiro continued, stating that Officer Mazzacco told him that when he arrived, they had gotten "rushed by a huge crowd of people." Lieutenant Sapiro was unable to recall any additional details about what Officer Mazzacco told him. Lieutenant Sapiro went on to state that he spoke with Officer McLaughlin and attempted to calm her down, because she is a new officer, and this was a big call.

Lieutenant Sapiro, responding directly to questioning, stated that he does not know if the person who was taken to the ground was resisting arrest, as he didn't even see that party, neither did he see a gun until he arrived at booking. Lieutenant Sapiro went on to state that he didn't even see when that party what picked up and walked to the patrol car.

Lieutenant Sapiro stated that he made his way to the back and was talking to a couple that was sitting at a table. Lieutenant Sapiro also stated that he did not observe any officers striking the individual, nor did he

observe any officers getting struck by the individual. Lieutenant Sapiro added that he did not observe any officer pull out an asp baton, nor did he hear one being extended. Lieutenant Sapiro stated that he did not hear anyone saying, "They're hitting me. They're hitting me."

When asked if any other supervisors were on scene, Lieutenant Sapiro stated that he rode with Sergeant Waehler and he also saw and spoke with Sergeant Delgado but was unable to recall that conversation. Lieutenant Sapiro also stated that he got a ride back to patrol from Sergeant Scillia. Lieutenant Sapiro added that there may have been additional supervisors on scene, as it was a signal 32.

Lieutenant Sapiro stated that he learned of injuries to at least two of the arrested parties when he got to booking but was not informed of injuries while on the scene. Lieutenant Sapiro estimates that he was on scene for 10-15 minutes, and the scene was pretty much cleared out by the time he left. Lieutenant Sapiro discussed the situation with Sergeant Delgado, and with Officer McLaughlin, where he advised her to take her time with this, because it could get overwhelming with the large amount of arrests.

Lieutenant Sapiro stated that during the ride back to patrol, he and Sergeant Scillia did talk about something, but he could not recall what they talked about. Lieutenant Sapiro went on to state that when they got back to the Police Station, he initially went to patrol, but when he got into booking, he described the scene as "crowded in front of the booking desk." Lieutenant Sapiro described the situation as abnormal, as, under usual circumstances, prisoners are brought in one at a time.

Lieutenant Sapiro stated that he positioned himself behind the booking desk to observe and to assist where he can. Lieutenant Sapiro, however, did not personally observe any of the injured parties. Lieutenant Sapiro added that he learned, during the night, that someone fell, and that there was a person in a wheelchair that needed to go to the hospital, but his injury was not related to anything that occurred on scene.

Lieutenant Sapiro stated that someone spat in Officer Lattanzio's face, so he went to speak with Officer Lattanzio, who was in the report writing room. Lieutenant Sapiro went on to state that Officer Lattanzio told him that the party was elbowing him, and shoving him, and mouthing off, and then the guy spat in his face. Lieutenant Sapiro continued, stating that Officer Lattanzio said that he slapped him. Lieutenant Sapiro added that Officer Lattanzio did not tell him if the party was handcuffed or not, nor did he know if the party was handcuffed at the time. Lieutenant Sapiro also stated that he did complete the PMA form for Officer Lattanzio.

Lieutenant Sapiro stated that during his time in booking, he spoke with Sergeant Delgado and Sergeant Long. Sergeant Delgado told Lieutenant Sapiro that he got hit in the lip and that it hurt. Sergeant Delgado told Lieutenant Sapiro that he did not want to file a workman's comp report or anything like that. Lieutenant Sapiro went on to state that Sergeant Delgado also kept him updated as to everything that was going on. Lieutenant Sapiro continued, stating that he advised Sergeant Delgado that he must get everyone's reports prior to them leaving for the night.

Lieutenant Sapiro stated that Sergeant Long took over as the Booking Sergeant for the overnight shift. Lieutenant Sapiro spoke with Sergeant Long about the person that fell and observed that the party was transported to the Hospital. In a follow-up conversation with Sergeant Long, Lieutenant Sapiro stated that Sergeant Long informed him that Lieutenant Dickerson had been notified and that he was attempting to review the booking video to determine what happened but was unable.

When questioned as whether Sergeant Scillia informed him about an incident, Lieutenant Sapiro stated that Sergeant Scillia came downstairs, near the time that Lieutenant Sapiro was preparing to leave and informed him that he had an incident. Lieutenant Sapiro went on to state that Sergeant Scillia told him

that he was helping the medics strap someone into a gurney, and that his hand slipped and made contact with the party that was in the gurney, who was under arrest.

Lieutenant Sapiro further explained that this occurred when he was tightening the gurney strap. Lieutenant Sapiro continued, stating that Sergeant Scillia told him that he didn't think that it was a Use of Force, but offered a report if Lieutenant Sapiro needed one. Lieutenant Sapiro stated that he told Sergeant Scillia to give him a report on Tuesday, as he would not be back until then. Lieutenant Sapiro added that Sergeant Scillia did not inform him about striking the arrested party's foot.

Lieutenant Sapiro stated that he did not know what Sergeant Scillia's function was at 316 Colorado Avenue, nor did he see any supervisors engaged in any activity while there. Lieutenant Sapiro also stated that he is not aware if any photographs were taken of the injured parties, nor did he know if they were interviewed separately or not. Lieutenant Sapiro stated that he was told by Captain Gilleran not to review anything and to give everything to Captain Gilleran.

When questioned about a conversation with Sergeant Delgado in the report writing room section of booking, Lieutenant Sapiro stated that he does not remember making any type of motion with his fist that resembled punching towards the air, nor did he remember talking to Sergeant Delgado about any specific actions by any officer.

Lieutenant Sapiro stated that he did speak with Officer Szepe in the report writing room probably with respect to the gun but could not remember the details of the conversation. Lieutenant Sapiro stated that he booked off at approximately 0400hrs on 10/22/17.

The undersigned Sergeant has determined, based on the statement of Lieutenant Robert Sapiro coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Lieutenant Robert Sapiro has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

14. Police Officer Cody Remy

Summary of statement given by Officer Cody Remy, summarized by Sergeant Lawrence Lazaro, Officer Remy stated the following among other things:

On October 28, 2017, Sergeant John Klesyk and Sergeant Larry Lazaro conducted a taped interview of Officer Cody Remy in the Office of Internal Affairs. *See Officer Remy's complete statement for specific details.*

Officer Cody Remy has been employed with the City of Bridgeport as a Police Officer for approximately 5 years. Officer Remy stated that states he was assigned to Amber 26 C Shift "a solo car". After review of the C Shift Patrol Roster dated Saturday October 21, 2017 it was discovered that Officer Remy was in fact assigned to car Amber 23. The sergeant assigned to his sector was Sergeant Jeff Long designated (A2). He further states it may have been Sgt. Delgado. Officer Remy goes on to state that he had a Probationary Police Officer riding with him and he was training him on the night in question when in fact he was riding with veteran Police Officer John Topolski. Officer Topolski was in fact his partner the entire shift.

While on patrol Officer Remy heard an Officer call out 10-32 (Officer needs assistance) over the radio. Officer Remy states he does not recall where he was or what he was doing when the 10-32 was called however he does remember he immediately headed over in response to the call. Upon his arrival at 316 Colorado Avenue Officer Remy parked his vehicle north of the residence where he could hear a large amount of yelling coming from the rear of 316 Colorado Avenue.

Officer Remy stated he could also see other Officers walking towards the rear of the residence. Officer Remy then ran towards the rear of the residence where he observed a large number of Officers. Five or six of them were on the porch attempting to handcuff an individual. While they were doing this a number of people began to advance towards the Officers yelling and shouting at them. Officer Remy then positioned himself between the Officers who were on the porch and the people who were advancing in order to keep the peace.

During Officer Remy's transcribed interview on page #10, line #450 Officer Remy is asked if he can identify any of the five Officers who were on the porch with him. Officer Remy responds that he does not recall who was on the porch. He further states that he ran up to the porch because he observed the Officers were in need of assistance and that they were attempting to handcuff an individual however he still does not recall who the Officers were.

Officer Remy maintains that throughout the incident he was facing the crowd in the yard and his back was toward the Officers on the porch preventing him from identifying any Officers on the porch or the Officers in the yard. Officer Remy further states he did remember seeing Officer McLaughlin at some point on scene in the driveway of the residence however he did not see her in the yard or on the porch during the incident.

Throughout this interview Officer Remy maintains that he does not remember speaking to any Officers on scene of the 10-32. On Page 29, line 1279 Officer Remy was asked "do you remember speaking with anyone on scene at the 1032 that night? Any Officer on the scene." Officer Remy replies on page 29 line 1282 "no, I don't remember speaking to any Officer on scene." He then states on page 30 line 1317 "I was instructed by Sergeant Scillia to start transporting the prisoner to booking".

Officer Remy goes on to state on page 33 line 1454 about giving his Probationary Police Officer instructions while on scene which would contradict his prior statement however, he did not have a Probationary Police Officer riding with him on the night in question.

Officer Remy goes on to contradict himself several times regarding who he saw on scene of the 1032, finally stating that at some point in time that evening on scene he saw and or interacted with Officers Mazzacco, McLaughlin, Szeps and Sergeant Scillia. Officer Remy also believes he transported a prisoner to booking for either Officer Mazzacco or Officer Mirtsopoulos, he could not remember exactly who it was.

Upon clearing the scene of the incident Officer Remy states, he transported a prisoner to booking, completed the initial paperwork and handed it off to the arresting Officer who he believes may have been Officer McLaughlin.

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were recurring inconsistencies throughout the statement provided by Officer Remy. Officer Remy appeared to have convenient lapses in memory whenever he was asked to identify any Officers or Supervisors on scene.

During the video provided to the Office of Internal Affairs Officer Remy is seen moving throughout the yard, onto the porch and back into the yard with clear, unobstructed views of the Officers on scene performing their duties and interacting with the citizens. Officer Remy's recalcitrance over providing even the smallest details regarding the Officer's identities or actions on the scene of 316 Colorado Avenue are clear as he observe him in the video posted in various vantage points allowing him to monitor both the citizens and the Officers before exiting the same way he entered the back yard of the residence, through the driveway and being assigned a prisoner to transport to booking and told to clear by a Supervisor.

The undersigned Sergeant has determined, a finding of "Separated from Service" as a requirement of Bridgeport Police Department Policy and Procedure Order, number 4.02 which states in part: "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

15. Police Officer Matthew Johnson

Summary of two different Police Reports authored by Officer Matthew Johnson for the same incident.

Report One:

Reporting officer M. Johnson responded to an "officer needs assistance" call for a noise complaint where parties were becoming agitated and aggressive. Upon arrival, I assisted units on scene in clearing out a large party from the rear of 316 Colorado Avenue. While assisting in this capacity, Suspect Deida, Sara (DOB [REDACTED] 1 - CGS Sec. ...) threw what appeared to be water on PO M. Blackwell, who was also assisting in the rear of 316 Colorado Avenue.

Suspect Deida was placed in handcuffs by PO McLaughlin while myself and PO M. Blackwell secured her hands as she attempted to resist arrest, bracing herself and holding her hands apart in an attempt to allow officers to place handcuffs on her. Suspect Deida was pat down by PO Castillo-Jimenez and escorted by PO M. Blackwell and myself to the rear of a patrol car. (This report was signed by Officer Matthew Johnson and reviewed and signed by Sergeant Jeff Long)

Report Two:

Reporting officer M. Johnson responded to an "officer needs assistance" call for a noise complaint where parties were becoming agitated and aggressive. Upon arrival, I assisted units on scene in clearing out a large party from the rear of 316 Colorado Avenue. While assisting in this capacity, Suspect Deida, Sara (DOB [REDACTED] 1 - CGS Sec. ...) threw what appeared to be water on PO M. Blackwell, who was also assisting in the rear of 316 Colorado Avenue.

Suspect Deida was placed in handcuffs by PO McLaughlin while myself and PO M. Blackwell secured her hands as she attempted to resist arrest. Suspect Deida was pat down by PO Castillo-Jimenez and placed in the rear of a patrol car. (This report was signed by Officer Matthew Johnson and reviewed and signed by Sergeant Ivan Delgado)

Summary of statement given by Officer Matthew Johnson, summarized by Sergeant Fabio Pereira, Officer Johnson stated the following among other things:

On October 30, 2017, Sergeant John Klesyk and Sergeant Larry Lazaro conducted a taped interview of Officer Matthew Johnson in the Office of Internal Affairs. *See Officer Johnson's complete statement for specific details.*

Officer Johnson has been employed with the City of Bridgeport as a Police Officer for approximately 2 years. Officer Johnson stated that he was assigned to Amber 20 "C" shift. He was working the hours of 3 (1500) till 11 (2300) and his immediate supervisor was Sergeant Jeffery Long.

Officer Johnson stated he was traveling on the highway and heard the initial call of "we need some more officers headed this way" come over channel # 1. He immediately began to travel towards this location and while en route a 10-32 (Officer Needs Assistance) was called out. Officer Johnson then arrived on scene and observed a "bunch" of patrol cars in the middle of the street and he stated people were leaving and others were being led away in handcuffs.

Officer Johnson stated that there was a lot of commotion with people yelling at officers, and he made his way into the backyard of 316 Colorado Avenue and began to survey the scene. Once in the backyard he

observed people being cuffed, people on the ground and people hanging out on the porch. While positioned near the porch he was hit with a liquid substance, Officer Johnson quickly turned around and observed a woman on the porch in a Halloween costume with either a cup or pot in her hand.

Officer Blackwell who was also struck by this substance immediately went up onto the porch and confronted this woman followed by Officer Johnson. Officer Blackwell attempted to arrest this individual while she was actively resisting by holding her hands apart. Officer Blackwell secured one hand while Officer Johnson secured the other and Officer McLoughlin could place cuffs onto her. This female was then taken to a police vehicle, placed into the rear of the vehicle and awaited transport to booking. Officer Johnson informed this undersigned investigator that he did not transport this female to booking, he transported a male.

Officer Johnson transported this male to booking without incident (mileage given), and once at booking Officer Johnson explained to this undersigned investigator that booking was very busy with people all around and in various cells. He was in the process of filling out the necessary booking paperwork for the individual he transported and went behind the booking desk to staple his booking sheets when he heard Officer Lattanzio say "he spit on me".

Officer Johnson then looked up and observed an individual on the ground surrounded by booking staff and other officers. Officer Johnson stated he never saw Officer Lattanzio strike this individual only hearing him say, "he spit on me". Officer Johnson then informed booking personnel he was not the arresting officer for the individual he transported; the arresting officer was on his way and this individual's booking paperwork was completed.

At Colorado Avenue, Officer Johnson informed us that he never spoke to a Sergeant, never was assigned a position by a sergeant nor did he interact with one while on scene. He also stated that when he was at Colorado Avenue he never observed medics. The only time Officer Johnson observed medics was when he was at booking.

Officer Johnson was instructed to write an addendum for his actions at 316 Colorado Avenue by Officer McLoughlin in which he assisted in the arrest of the lady who threw water on him. Officer Johnson left booking and worked Green 32 for four hours after his shift on overtime.

Summary of Video Footage provided by Attorney Robert Berke

By reviewing this video footage under channel 7, Officer Johnson is first observed walking towards the rear of the house at 10:26:54. Officer Johnson is observed under Channel 6, which faces the rear / driveway area of the house at 10:27:08 and walks towards the rear porch area. At this time, Officer McLaughlin and Officer Sherback are placing Fernando Morales under arrest and Officer Johnson walks over to assist.

At the same time, Officer Blackwell is on scene and moves Peter Diaz who is in a wheelchair to the side. Officer Blackwell and Officer Faroni are then at the bottom of the steps of the rear porch and Officer Faroni then grabs a hold of the wheelchair and starts to wheel Peter Diaz away. Officer Blackwell is standing next to Officer Faroni and with his back to the porch and at 10:27:36, a liquid substance is thrown on both Officers from the porch area.

Note that Officer Johnson is out of the camera view when this occurs because the camera does not catch the porch area. Officer Blackwell and other officers then converge on the porch. Officer Johnson then re-emerges on the camera view again at 10:29:10 and walks over to the front of the house.

Under Channel 7, Officer Johnson is observed walking with Officer Blackwell and Sara Deida to a patrol vehicle that is parked South of the house on Colorado Avenue. At 10:31:51, Officer Johnson walks back over to the front of the house and then to the rear / driveway.

Officer Johnson walks in the camera view of Channel 6 at 10:32:07 and stays in the area and is observed speaking to other officers. Note that there are no other significant incidents that happen at this time. At 10:35:14, Officer Johnson leaves the area and goes to the front of the house and leaves the area.

Summary of Video Footage from Jose Alvarado's Cell Phone

By reviewing this video from Jose Alvarado's cell phone, which was provided by Attorney Robert Berke, at 01:03 minutes into the video, you hear a commotion and then several officers, Officer McLaughlin, Officer Bobby Hernandez, Officer Mazzacco, and Officer Johnson converge to the porch area.

The video then shows Officer Johnson, Officer Blackwell, and Officer McLaughlin attempting to arrest Sara Deida who has her hands behind her back and appears to be resisting. The video then turns away from the officers and shuts off a few seconds later. ***Note that Officer Johnson states that Officer Blackwell attempted to arrest Sara Deida while she was actively resisting by holding her hands apart. Officer Blackwell secured one hand while Officer Johnson secured the other so that Officer McLaughlin could handcuff her. The video does not show Sara Deida being handcuffed.***

Summary of Video Footage provided by Carmelo Mendez

By reviewing this video footage at 01:07 a viewer can hear several people are alarmed by something and then observe Officer Johnson, Officer McLaughlin, Officer Mazzacco, and Officer Bobby Hernandez run up to the porch area. At this time, Officer Blackwell is also at the porch and a viewer can see him and Officer McLaughlin attempting to arrest Sara Deida. Note that the view is blurry, and Officer Johnson is not observed in the porch area. Officer Johnson is last seen walking away from the porch towards the front of the house at 02:40 minutes into the video.

Summary of Booking Video

By reviewing the Booking footage, Officer Johnson walks in to Booking through the sally port doors at 10:49:55 with Jose Rosario. Jose Rosario is then placed in the bull pen by Officer Steven Silva. Officer Johnson is then observed speaking to Detention Officer Paul Humphrey and then walks up behind the Booking desk. At 10:52:47 when Officer Lattanzio pushes Peter Diaz, Officer Johnson is still behind the desk completing an arrest, however, he is not looking towards their direction.

After a few seconds, Officer Johnson turns his attention towards Peter Diaz and Officer Lattanzio. Peter Diaz then swipes Officer Lattanzio's hands as he is pointing his fingers at him and Officer Johnson walks over to the side of the Booking desk. Peter Diaz then spits on Officer Lattanzio's face (10:53:04) at which time, it appears that Officer Johnson is still standing next to the booking desk, but he is not looking in their direction. ***Note that Officer Johnson noted in his statement that was behind the booking desk at the time when he heard what sounded like spit or someone like spitting. Officer Johnson relates that he then looked up and observed an individual on the ground surrounded by booking staff and other officers.***

A few seconds after Peter Diaz spits on Officer Lattanzio, he strikes Peter Diaz in the face. Officer Johnson is still standing next to the Booking desk, however at the moment Officer Lattanzio strikes Peter Diaz, he looks down and put his pen away in his right chest pocket. When he looks up, Peter Diaz is being taken to the ground and he walks over behind the booking desk. ***Officer Johnson reported during***

his interview that he never saw Officer Lattanzio strike this individual only hearing him say, "he spit on me."

While behind the booking desk, Officer Johnson continues to fill out the arrest card and other intake paperwork. At 11:02:35, Jose Rosario is let out of the holding cells by Detention Officer Cruz and at this point, Officer Johnson starts processing him. Officer Johnson finishes processing Jose Rosario who is then brought to a cell while he goes behind the booking desk and it observed putting all of Jose Rosario's paperwork together.

Officer Johnson then goes into the report writing area at 11:23:55 for a few minutes and then goes back out to the booking processing area. Officer Johnson then leaves booking at 11:28:40 hours. Officer Johnson comes back to Booking at 12:04:36 to put Jose Rosario's phone into his property. Officer Johnson then leaves Booking at 12:10:14am on 10/22/17 and does not come back.

The undersigned Sergeant has determined, based on the statement of Officer Matthew Johnson coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Matthew Johnson has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

16. Sergeant Gregg Granello

Summary of Sergeant Granello's statement summarized by Sergeant John Klesyk, Sergeant Granello stated the following among other things:

On October 30, 2017, Sergeant John Klesyk and Sergeant Larry Lazaro conducted a taped interview of Sergeant Gregg Granello in the Office of Internal Affairs. *See Sergeant Granello's complete statement for specific details.*

Sergeant Granello has been employed with the City of Bridgeport as a Police Officer for approximately 21 years. Sergeant Granello stated that on October 21, 2017, he was assigned to G2 "C" shift. He was working the hours of 2:30 (1430) till 10:30 (2230) and is the immediate supervisor for the East Side/Sector of Bridgeport.

Sergeant Granello stated that he was not working when the 10-32 was called out and only learned of the incident when arrived for work the next day by Sergeant Jeffery long who briefed him on the prior evenings events.

The undersigned Sergeant has determined Sergeant Gregg Granello has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time in reference to this incident.

17. Police Officer Adam Szeps

Summary of statement given by Officer Adam Szeps summarized by Sergeant Fabio Pereira, Officer Szeps stated the following among other things:

This interview was conducted by Sergeant Santiago Llanos and present was Sergeant John Burke and Union Steward Bradford Seely on October 30, 2017. This interview utilized audio taped log # 5951. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Officer Szeps states that he was assigned to Blue 15 on the evening in question. Officer Szeps indicated that upon his arrival he had to park several houses down and then made his way down to 316 Colorado Avenue. Once in the driveway, Officer Szeps stated that it was chaos and that there were people everywhere and a lot of yelling and swearing. Officer Szeps added that there was a lot of belligerent people and that the crowd was hostile.

Officer Szeps related that he was trying to find the initial officer, Officer Natalie McLaughlin, and that was his goal. Officer Szeps revealed that he was not cognizant of what the other officers were doing or their conversations. Officer Szeps totaled the number of civilians at about 15 to 20 and expressed that he felt that he was in danger. Officer Szeps described the scene with dark spots and some lit spots that were from the house lights.

According to Officer Szeps, he became engaged with a Mr. Carmelo Mendez who came out of one of those dark lit spots and that he was yelling and swearing which caught his attention. Officer Szeps indicates that Officer Hugo Stern told him that it was time to go and that he then placed his arm under his elbow and that Mr. Mendez stated, "Fuckin' cops. Fuck you." (Szeps 324) Officer Szeps believed that when Mr. Mendez thrust his arm up away from Officer Stern, he thought that it was an attempt to strike him. Officer Szeps added that he really didn't see Officer Stern make contact, but that Mr. Mendez's immediate action was to bring up his elbow.

Officer Szeps states that he then stepped in and said, "Now it's time to go. You're under arrest. Come here", and that Mr. Mendez replied by saying, "No. Fuck you." (Szeps 333-334) Officer Szeps indicates that he went to put his arms on him and he pulled away from him. Officer Szeps discloses that he was outnumbered and that he was really concerned that he was not going to get jumped from behind. Officer Szeps states that he immediately brought Mr. Mendez to the ground.

Officer Szeps reveals that as soon as he brought him to the ground, Mr. Mendez made a hard reach for his right side. Officer Szeps stated that he didn't know if it was instinct but that when he secured his arm, he lifted up his sleeve and there was a firearm in his waistband and that he yelled, "Gun." (Szeps 342) Officer Szeps declares that he just wanted to get the firearm off of Mr. Mendez in case someone picked it up and used against them or some kid grabbed it, even though he stated that he had not seen any children on scene.

Officer Szeps articulates that when yelled "Gun", several officers jumped on top of Mr. Mendez assisting him. Officer Szeps remembers Detective Fortes as being an Officer assisting him and specifically him because when he was able to get both arms out, he told him to handcuff him. Officer Szeps articulated that he then removed the weapon from the holster and handed it to Officer Stern who then secured the weapon. Officer Szeps related that once he secured the firearm, he initially brought it to his chest and leaned back and saw Officer Stern. Officer Szeps stated that he then made eye contact with Officer Stern

and he put his hand out and he passed the firearm to him and he secured it. Per Officer Szeps, he does not remember Mr. Mendez saying at any time that he had a gun permit.

Officer Szeps conveyed that after he secured the weapon, Mr. Mendez pulled his arms away from him and that the fight was on to get Mr. Mendez handcuffed. Officer Szeps notes that Mr. Mendez was resisting violently and that he didn't think he knew the firearm was secured off of him. Officer Szeps declares that Mr. Mendez was still reaching for the firearm and that he just wasn't giving up his hands and explained that every time he tried to maneuver to get his hands from underneath from him, Mr. Mendez maneuvered another way.

Officer Szeps indicated that in the fight to get Mr. Mendez contained, he hit him multiple times in the back and at least twice in the face to get control of his arms. Officer Szeps notes that he hit Mr. Mendez before he was handcuffed and while attempting to get control of Mr. Mendez, he gave him orders to, "Let me- give me your hand. Stop fighting. Give me your hands." (Szeps 562-563) and, "Stop Resisting. Stop fighting. Give us your hands." (Szeps 1372) Officer Szeps conveyed that Mr. Mendez responded by yelling several obscenities and kept resisting and did not comply with anything that he was being told. Officer Szeps articulated that after he struck him, he didn't think that it was affecting him much and he didn't want to hurt himself, so he just went back to trying to get that arm out.

Officer Szeps states that he was able to secure one arm and that he attempted to reach for his handcuffs, but Officer Stephen Silva's handcuffs had fallen on the ground and they were closer to him. Officer Szeps explains that he did not want to lose grip on Mr. Mendez's arms and he reached down and picked up the handcuffs. Officer Szeps states that he then got one handcuff on and that he still was not giving up the other arm and eventually was able to get the other arm and he double-locked it. Once the handcuffs were secured the fight was over and he picked him up with the help of Officer Silva and cleared him out. According to Officer Szeps, there was really nobody else around when they picked him up.

Officer Szeps states that when he had Mr. Mendez in custody he wanted to remove him as quickly as possible since he was responsible for him and pending that the crowd was still hostile.

Officer Szeps notes that he and Officer Silva walked Mr. Mendez to Officer Silva's patrol vehicle and searched him and placed him in the car. Officer Szeps continued that Officer Stern gave him the firearm which he then secured on his person and that he was transported to Booking.

Officer Szeps stated that he had not observed any injuries on Mr. Mendez prior to being placed under arrest, however, he revealed that he observed a little bit of dried blood above his eye before placing him in the Police vehicle. Officer Szeps stated that he did not see any swelling on Mr. Mendez nor did he complain of any injuries. Officer Szeps indicated that Mr. Mendez was his arrest. Officer Szeps states that he believed Mr. Mendez was intoxicated because he could smell the distinct odor of alcohol coming off his breath and noted that he smelled it even more profusely after the struggle. Officer Szeps declares that while on scene he did not see anyone else strike Mr. Mendez while he was handcuffed.

Officer Szeps states that he then went to Booking and that while he was up there he did not see an altercation take place. Officer Szeps conveys that he then wrote his report along with his Use of Force.

Summary of Video Footage provided by Mr. Carmelo Mendez capturing the conduct of Officer Adam Szeps.

Upon reviewing the video footage provided by Mr. Carmelo Mendez from his cell phone, it shows Officer Stern walk in at approximately 2:52 minutes into the video. As soon as Officer Stern walks in he says, "Let's Go". Officer Stern then walks directly towards Mr. Mendez and as soon as he approaches him, he again says, "Let's go, party is over let's go" and Mr. Mendez replies by saying, "Don't touch me." Note that a viewer can see Officer Szeps walking towards Mr. Mendez as well right behind Sergeant Ivan Delgado.

Officer Stern again tells Mr. Mendez, "Let's go" and Mr. Mendez says, "This is my sister house". Officer Stern repeats, "Let's go" and then a viewer can hear Officer Szeps say, "You are going" and the camera goes blurry. In his statement, Officer Szeps states that he observed Mr. Mendez thrust his arms away from Officer Stern which cannot be seen in this video. The viewer can hear someone say, "What are you talking about" but it cannot be determined who says it. At this point, the cell phone is still recording, however, a viewer cannot see the video clearly. You then hear people screaming and then Mr. Mendez say, "Yo, he just hit me" and a viewer can hear a struggle going on in the background. Right after that Officer Szeps yells, "He's got a gun, he's got a gun." The video ends after this point. Note that you do not hear Mr. Mendez at any time yell that he has a gun permit.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Adam Szeps.

In this video footage under Channel 6, Officer Szeps walks in to the backyard at 10:28:40 hours. Officer Szeps goes out of the camera view and then returns to the backyard walking behind Officer Stern and Sergeant Ivan Delgado a minute later. Officer Stern then walks right towards Mr. Mendez who can be seen recording the incident with his cell phone. Mr. Mendez is then observed raising his arm right after Officer Stern approaches him.

It is at this point (10:29:35) that Officer Szeps walks up to Mr. Mendez and grabs him by his left arm and takes him to the ground. Once Mr. Mendez is on the ground, several Officers now converge on Mr. Mendez. In his statement, Officer Szeps indicates that he hit Mr. Mendez several times, however, in this video a viewer cannot see Officer Szeps hitting Mr. Mendez in the mix of all the Officers. In his statement, Officer Szeps also notes that there were approximately 15-20 civilians on scene. In the video, a viewer can only see approximately 5 civilians. It should be noted that there is no video of the deck area where there could be possibly more civilians.

Eventually, Officer Szeps stands up and then he and Sergeant Paul Scillia are the ones that pick Mr. Mendez from the ground and not Officer Silva as stated by Officer Szeps in his statement. As Officer Szeps is walking away with Mr. Mendez, Officer Silva grabs him by the arm and they walk to the front of the house and out of camera view.

Under Channel 1, Officer Szeps is observed walking with Mr. Mendez towards a patrol vehicle, however, the vehicle is out of camera view.

Summary of Booking Video capturing the conduct of Officer Adam Szeps.

Officer Szeps walks in to the report writing area at 10:50:05. At 11:01pm, Officer Szeps is observed walking into the Booking / Processing area where he speaks to Sergeant Long and Officer Silva. At the same time, Officer Mirtsopoulos is processing Mr. Ramon Davila and Officer Mathew Johnson is processing Mr. Rosario. Note that in his statement, Officer Szeps states that not at any time he went inside the Processing area while there were other prisoners there, however, the video footage shows

otherwise. The rest of the time, Officer Szeps spends most of his time in the report writing room and leaves Booking at 02:51:05am on October 22, 2017.

The undersigned Sergeant has determined, based on the statement of Officer Adam Szeps coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Adam Szeps has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

18. Police Officer Linett Castillo-Jimenez

Summary of two different Police Reports authored by Officer Linett Castillo-Jimenez for the same incident.

Report one:

I, Officer L Castillo responded to 316 Colorado Avenue to assist units with a hostile house party. Upon arrival, a man, later identified as Morales, Fernando, was being escorted to a patrol vehicle by **Officer Stanitis and Officer Pires**. Morales was already handcuffed but became aggressive towards the Officers. I assisted in grabbing Morales and bringing him to the ground until he complied with the commands given. I used my hand to hold Morales down against the ground while commanding him to stay quiet. Morales was commanded to remain silent several times, but he continued yell "Fuck You! Suck my dick!" Morales was grabbed by the arms and placed in the back of the patrol vehicle. **(This report was signed by Officer Castillo-Jimenez and reviewed and signed by Sergeant Ivan Delgado)**

Report Two:

I, Officer L Castillo responded to 316 Colorado Avenue to assist units with a hostile house party. Upon arrival, a man, later identified as Morales, Fernando, was being escorted to a patrol vehicle by **Responding Officers**. Morales was already handcuffed but became aggressive towards the Officers by **pushing his body towards the Officers. Morales continue to resist by attempting to create distance between himself and the patrol vehicle.** I assisted in grabbing Morales and bringing him to the ground until he complied with the commands given. I used my hand to hold Morales down against the ground while commanding him to stay quiet. Morales was commanded to remain silent several times, but he continued yell "Fuck You! Suck my dick!" Morales was grabbed by the arms and placed in the back of the patrol vehicle. **(This report was signed by Officer Castillo-Jimenez and reviewed and signed by Sergeant Jeff Long)**

Summary of statement given by Officer Linet Castillo-Jimenez, summarized by Sergeant Fabio Perelra, Officer Linet Castillo stated the following among other things:

On October 30, 2017, Sergeant Jesse Pizzaro and Sergeant John Burke conducted a taped interview of Officer Linet Castillo-Jimenez in the Office of Internal Affairs. *See Officer Linet Castillo-Jimenez's complete statement for specific details.* Officer Castillo-Jimenez has been employed with the City of Bridgeport as a Police Officer for approximately 1 year. Officer Castillo-Jimenez stated that October 21, 2017 she was assigned to Green 38 C-shift solo.

Officer Castillo-Jimenez states that she responded to the call of 10-32 (Officer needs assistance) and that once there she assisted two of the Officers escort one of the males that was already handcuffed. Officer Castillo-Jimenez states during her interview, "I honestly don't remember exactly who, 'cause there was t- there was so many officers there. The names exactly I wouldn't be able to tell you." (Castillo-Jimenez 202-203) ***Note that Officer Castillo-Jimenez claims that she does not remember who the officers were, yet she authors a report in which she names both Officer Pires and Officer Stanitis.***

According to Officer Castillo-Jimenez, the party was being told that he was under arrest and that he kept fighting and throwing his body back and forth. Officer Castillo-Jimenez added that the party was calling the Officers names and saying offensive things against the Officers.

Officer Castillo-Jimenez relates that the party was brought to the side of the vehicle where they were going to open the door and that is when he started to throw his body against the Officers including his

head. Officer Castillo-Jimenez states that is when the Officers stated to put him in the ground and that she made sure that he didn't slam his head against the ground.

Officer Castillo-Jimenez indicates that she then grabbed him by the chest and put him on the ground and that she held him by the chest, so he can stop moving and told him to stay quiet. Officer Castillo-Jimenez continued that once they got the door of the patrol car open, she grabbed him by his arm, picked him up and then sat him in the vehicle. Officer Castillo-Jimenez indicated that the party was intoxicated because he was yelling and screaming, and she could smell alcohol from his breath.

Officer Castillo-Jimenez then stated that Officer Mark Blackwell was escorting another female that he had arrested and asked her to pat her down. Officer Castillo-Jimenez relates that she patted her down and placed her in the vehicle. Officer Castillo-Jimenez conveyed that after that she went to the house to see what was going on and she saw Officer McLaughlin interviewing some people sitting at a table. Officer Castillo-Jimenez mentioned that she observed alcoholic beverages on the table in the back.

Officer Castillo-Jimenez states that she assisted Officer Pires in filling out tow sheets for a vehicle that was towed from the middle of the street because the owner was being arrested. According to Officer Castillo-Jimenez, she was in the back when she heard someone slam on the brakes and then heard chaos. Officer Castillo-Jimenez continues that when she ran to go see, Officers already had the suspect out of the vehicle and his hands behind his back.

Officer Castillo-Jimenez states that they handcuffed him and told him that he was being arrested for reckless driving. Officer Castillo-Jimenez lastly added that she remembered family members arrived on scene and picked up a wheelchair from the front of the house. Officer Castillo-Jimenez stated that she was directed by Sergeant Jeffrey Long and Sergeant Ivan Delgado to write a report. Officer Castillo-Jimenez stated that she wrote an incident report as well as a Use of Force Report.

Summary of Video Footage provided by Attorney Robert Berke

Under Channel 4, Officer Castillo-Jimenez walks to the driveway at approximately 10:29:35 at which point Officer Mark Blackwell is walking out of the backyard with Ms. Sara Deida who had just been arrested. Officer Castillo-Jimenez walks over to Officer Blackwell's vehicle and she then pats her down. Ms. Deida is placed inside the vehicle and Officer Castillo-Jimenez walks back over to the front of the home. Officer Castillo-Jimenez is then seen walking around the front of the home as well as in the backyard, however, at this time all civilians have dispersed. When the incident involving the speeding truck occurs, Officer Castillo-Jimenez walks over to the pickup truck out of the camera view. Officer Linet-Castillo then stays the remainder of the time with Officer Joseph Pires waiting until the pickup truck is towed away at 11:08:40.

Summary of Booking Video

Officer Castillo-Jimenez is not seen in the Booking area while any of the incidents involving the Officers occur.

The undersigned Sergeant has determined, based on the statement of Officer Linet Castillo-Jimenez coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Linet Castillo-Jimenez has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

Redaction Date: Wednesday, March 06, 2019 9:54:15 AM

Total Number of Redactions: 7

By Exemption:

"Personal Information" (CGS Sec. 42-471): 5 instances
"HIPAA" (HIPAA): 2 instances

By Page:

Page 63 - "HIPAA" (HIPAA): 2 instances
Page 70 - "Personal Information" (CGS Sec. 42-471): 2 instances
Page 81 - "Personal Information" (CGS Sec. 42-471): 1 instance
Page 114 - "Personal Information" (CGS Sec. 42-471): 2 instances

19. Police Officer Thomas Lattanzio

Summary of Police reports and statement of Officer Thomas Lattanzio summarized by Sergeant Fabio Pereira, Officer Lattanzio stated the following among other things:

Summary of Police Report 171021-297 authored by Officer Thomas Lattanzio for the same incident.

Officer Lattanzio stated that while on patrol, he responded to 316 Colorado Avenue for what was described as a house party and while en route, Officer Lattanzio heard the incident was upgraded to a 10-32, "Officer Needs Assistance" incident. Officer Lattanzio states that upon his arrival, he quickly entered onto the premises of 316 Colorado Avenue, walking towards the rear of the property, where he discovered adults engaged in some kind of melee with police officers.

Officer Lattanzio relates that his intention to walk up the rear stairway into the dwelling was short-lived when a Mr. Jose Alvarado deliberately blocked him from approaching the rear entry door. Officer Lattanzio indicates that he issued him verbal warnings to move away from the stairway of the deck (platform), but that Mr. Alvarado refused to follow his verbal instructions, complaining out aloud that he was filming the incident and that he didn't need to leave the area. Officer Lattanzio notes that he asked him two more times to walk towards the front of the residential structure and Mr. Alvarado refused again. Officer Lattanzio related that Mr. Alvarado postured up with his upper body and he decided to place Mr. Alvarado under lawful custodial arrest.

Officer Lattanzio documents that Mr. Alvarado was safely and properly handcuffed (double-locked) and transported to booking at 300 Congress Street. According to Officer Lattanzio, Mr. Alvarado's eye-glasses came off when he was being escorted out through the driveway of the property. Officer Lattanzio explained that Mr. Alvarado continued to posture and act mildly combative in what he considered to be his willingness to escalate more problems with the other party goers. Officer Lattanzio states that he searched for the eye-glasses, but they were ultimately not recovered.

Officer Lattanzio reported that after Mr. Alvarado was placed in his marked patrol vehicle, he apologized and was cooperative and admitted that his acting out against the police was not needed and that it was "stupid". Officer Lattanzio reports that Mr. Alvarado was clear of any warrants and/or holds.

Summary of Police Report 171021-326 authored by Officer Thomas Lattanzio for the same incident.

Officer Lattanzio states that he was at 300 Congress Street attempting to process an arrested male for an incident which had occurred at 316 Colorado Avenue that involved numerous custodial arrests. Officer Lattanzio relates that when he entered booking, he was processing a male prisoner when a Mr. Peter Diaz, who was standing in booking to his left side, began to deliberately taunt him with simple body nudges and/or by merely brushing his left side with his right arm.

Officer Lattanzio explains that after allowing this to continue for only a short time, he told Mr. Diaz to give him space after he nudged him again in what he believed was a deliberate attempt to physically contact his body. According to Officer Lattanzio, Mr. Diaz became verbally abusive towards him. Officer Lattanzio imparts that the simple nudging technique escalated and that he pushed him away from his personal space and verbally instructed him to stop.

Officer Lattanzio articulates that during Mr. Diaz's being issued verbal instructions, he spit mucous directly towards his face and the mucous entered his right eye and on his face right above his nose area.

Officer Lattanzio documents that he reacted by executing a light tap with a closed fist towards his face to protect himself from further contamination. Officer Lattanzio notes that his right eye was blurry, but that his face was fine after he wiped the mucous from off his nose area. Officer Lattanzio states that as a result, Mr. Peter Diaz Mr. Diaz was processed and charged with Assault of Public Safety Officer 53a-167c.

Summary of statement given by Officer Thomas Lattanzio summarized by Sergeant Fabio Pereira, Officer Lattanzio stated the following among other things:

This interview was conducted by Sergeant Santiago Llanos and present was Sergeant John Burke and Union Steward Daniel Gerardi on October 31, 2017. This interview utilized audio taped log # 5954. The interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Officer Lattanzio stated that he was assigned to Blue 16. In the night in question, Officer Lattanzio stated that he was far away, and it took a while for him to get there. Officer Lattanzio related that upon his arrival, he went to the backyard he saw a bunch of people and the atmosphere was chaotic and that he was trying to determine how he could get into the house to help whoever had called out the 10-32.

Officer Lattanzio remembers seeing Officer Ryan Mullenax there with his K-9 and that the lighting was good in the backyard. Officer Lattanzio stated that the people at the party were screaming and yelling and that it was a chaotic scene and that everyone were holding out their cell phones and videotaping.

Officer Lattanzio related that his primary intention was to get inside the house to see if any officers were in a physical fight. Officer Lattanzio then disclosed that the individual that he had arrested, Mr. Jose Alvarado, was barring him from doing that because there was a stairwell that lead up to a deck. According to Officer Lattanzio, when he approached Mr. Alvarado he had his cell phone out and saying, "Oh this is fuckin' ridiculous, you know what you can't be here." (Lattanzio 353-354)

Officer Lattanzio indicates that he told him three or four times that he was going into the house and that he needed to move, and that Mr. Alvarado responded by saying that he was checking on his aunt. Officer Lattanzio claims that he told him that he was not checking for anybody and that he had to go.

Officer Lattanzio stated that Mr. Alvarado started posturing with his body and his upper body and that last thing he needed was a physical fight. Officer Lattanzio imparted that he told Mr. Alvarado that he had to go or he would be arrested for interfering, but that Mr. Alvarado continued to posture. Officer Lattanzio stated that it was at this point, that he told Mr. Alvarado to put his hands behind his back and that he was under arrest. Officer Lattanzio revealed that he did not know if he should have done that because now he could not have helped the other officers but considering that there was other officer on the way, Officer Lattanzio believed that Mr. Alvarado would have started something if he did not arrest him.

Officer Lattanzio conveyed that after he placed Mr. Alvarado under arrest, he started to posture and tug on him with his body weight and that at that point, he stated that the last thing he needed was a foot chase since he didn't know if he was trying to get away. Officer Lattanzio indicated that Mr. Alvarado might have slipped and was pulling so hard that he was leaning over that he slipped too and tapped him on the neck and told him, "Cut the shit, what the fuck man." (Lattanzio 433-434) Officer Lattanzio states that Mr. Alvarado's glasses then came off which he claims that he didn't know until it was told to him by Mr. Alvarado. Officer Lattanzio claims that Mr. Alvarado's glasses fell off because, "he tried to tug away from him and he gave him a slap on the neck and I guess one of my fingers must have hit the left, uh, part

of the, uh, the handle that's around his left ear." (Lattanzio 553-555) Officer Lattanzio stated that he did not remember any one bumping him while he attempted to place Mr. Alvarado under arrest.

Officer Lattanzio disclosed that the "controlling maneuver" worked exceptionally well because Mr. Alvarado stopped doing what he was doing. Officer Lattanzio states that he told Mr. Alvarado that he was going to put him in the car and come back to look for his glasses and that he was apologetic all the way to the car. Officer Lattanzio imparted that Mr. Alvarado even said that, "This is silly, this didn't have to happen." (Lattanzio 441-442) Officer Lattanzio stated that he looked for his glasses right after he was placed under arrest and then had someone watch the car with Mr. Alvarado inside and went back to look for the glasses but that he could not find them. Officer Lattanzio stated that Mr. Alvarado did not complain of any injuries and that Officer Douglas Bepko was in the area when he was arresting Mr. Alvarado.

Officer Lattanzio states that he then transported Mr. Alvarado to Booking. Officer Lattanzio goes to say that once at Booking he walked through the door and began to process Mr. Alvarado at the Booking desk. Officer Lattanzio described Booking being chaotic and very unnerving and unusual and that it is something you see two to three times a year.

Officer Lattanzio relates that as he was processing Mr. Alvarado, Mr. Diaz who was to his left, started to nudge him and that they started to exchange words and Mr. Diaz was saying, "suck my dick, all that stuff." (Lattanzio 1267-1268) Officer Lattanzio indicates that he started to entertain Mr. Diaz trying to patronize him and make light of the situation to appease him. Officer Lattanzio notes that Mr. Diaz kept on doing it a little harder and that he turned to his left and told Mr. Diaz to, "Cut the shit man. Stay away from me man, gimme my space man" (Lattanzio 1272-1273, 1277). Officer Lattanzio disclosed that Mr. Diaz kept nudging him a little harder and that's what prompted him to turn around and say, "Hey listen man, get away from me man" and he, "pushed him with open hands." (Lattanzio 1405 & 1409)

Officer Lattanzio continues that he started doing his paperwork when Mr. Diaz spit in his face which went right in his left eye, nose, and a little in his mouth which caused him not to see for a few seconds. Officer Lattanzio states that his reaction was a fight to flight and that he was afraid something else was going to happen or if Mr. Diaz was going to stab him with a pen and that the last thing he wanted to do was get into an altercation where they are going at it. Officer Lattanzio claims that he did not see Mr. Diaz handcuffed or if he had any injuries on him.

Officer Lattanzio imparts that his reaction / natural instinct was to reach over and lightly tap Mr. Diaz in the face. Officer Lattanzio exclaims that he, "gave him a tap to alert him, like that ain't happening' in here man." (Lattanzio 1577) When asked if he had deliberately struck Mr. Diaz in the face, Officer Lattanzio further explained, "That's where my closed fist touched his left cheek and it wasn't even a strike it was just a little push." (Lattanzio 2007-2008) Officer Lattanzio disclosed that he remembers seeing Officer Daniel Faroni in the back of him. Officer Lattanzio explains that it's not like he punched him and that he is not sugar coating anything and states that he is not a physical guy and his reaction was the result of being assaulted.

Officer Lattanzio articulates that he took recourse to protect himself since he did not know what was going to be followed up by Mr. Diaz and that he was protecting himself from being further assaulted. Officer Lattanzio expressed that he was also scared because he did not know what was going to happen next. Officer Lattanzio relates that he did not kick Mr. Diaz at any time during their altercation.

Officer Lattanzio states that he remembers that he looked at Mr. Diaz and he looked right at him and started finger pointing and advised him that is an assault on a police officer. Officer Lattanzio related that

he did not remember Mr. Diaz falling to the ground and explained that he was temporarily blinded and that if Mr. Diaz did fall to the ground he does not remember.

Officer Lattanzio stated that he called the medics for himself, but that during the chaos and commotion and after he saw them in booking, he decided to go get tested. During his interview, Officer Lattanzio relates that he believed that he had acted in a professional level and acted the way he did to protect himself.

Officer Lattanzio states that he spoke to Lieutenant Robert Sapiro and filled out the medical forms. Officer Lattanzio also stated that he completed an addendum for the arrest of Mr. Alvarado and did a separate file for the arrest of Mr. Diaz for assaulting him.

In conclusion of his interview, Officer Lattanzio expressed that he didn't think it was unnatural for him to react in the way he reacted and that he didn't punch him. According to Officer Lattanzio, if he punched him, he would have punched him and again pronounced that he only gave Mr. Diaz a tap.

Summary of Video Footage provided by Mr. Carmelo Mendez capturing the conduct of Officer Thomas Lattanzio.

Upon reviewing the video footage provided by Mr. Carmelo Mendez from his cell phone, the viewer can see Mr. Alvarado recording the incident with his cell phone. At approximately 1:39 into the video, the viewer can observe Mr. Fernando Morales, who has been arrested and is handcuffed, push Officer Lattanzio as he is being escorted out. Note that in his statement, Officer Lattanzio explained that he did not remember any one bumping him while attempting to place Mr. Alvarado under arrest. At the same time, a viewer can see Officer Lattanzio grab a hold of Mr. Alvarado's left arm. After a few seconds a viewer can see Officer Lattanzio with Mr. Alvarado at the entrance to the driveway with Mr. Alvarado, however, you do not see anything else relative to Mr. Alvarado.

Summary of Mr. Alvarado's Cell phone video footage capturing the conduct of Officer Thomas Lattanzio.

By reviewing Mr. Alvarado's cell phone footage, it does not show his interaction Officer Lattanzio. The footage ends at around the same time Officer Lattanzio makes contact with Mr. Alvarado.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Thomas Lattanzio.

In this video footage under Channel 7, Officer Lattanzio is observed walking to the house at 10:27:27. At approximately 10:28:47, Officer Lattanzio walks out of the backyard with Mr. Alvarado who is already handcuffed. The video shows Mr. Alvarado's hat and glasses go flying right off his head as soon as he enters the camera view. Officer Lattanzio walks a few steps and then walks back to the same area where Mr. Alvarado's hat came off his head. Officer Lattanzio is holding Mr. Alvarado with his right hand and his flashlight on the left and a viewer can see both Officer Lattanzio and Mr. Alvarado looking at the ground.

Officer Lattanzio then walks Mr. Alvarado to his patrol vehicle. A few minutes later (10:33:39), Officer Lattanzio pulls up in front of the house with his patrol vehicle and again is observed looking for Mr. Alvarado's glasses for several minutes. Officer Lattanzio then returns to his patrol vehicle and is then seeing pulling forward and reversing several times before leaving by driving South on Colorado Avenue. By reviewing Channel 6, the viewer can observe Officer Lattanzio walking in the backyard at 10:27:48 and immediately walk over the deck area. Officer Lattanzio is then seen pointing and speaking to Mr.

Alvarado while at the same time that Mr. Fernando Morales is being walked out by Officer Michael Stanitis and Officers Todd Sherback. Under this channel, a cannot see Mr. Morales bump Officer Lattanzio. Officer Lattanzio then grabs Mr. Alvarado by the left arm and walks him over to the entrance of the driveway.

Officer Lattanzio then pulls his left arm behind his back and starts to handcuff him. Officer Sherback at this point assists Officer Lattanzio in handcuffing Mr. Alvarado. It is at this time, that Officer Lattanzio strikes Mr. Alvarado in the back of the neck twice with an open hand. Note that Officer Douglas Bepko is standing right next to Officer Lattanzio and has a clear view of this incident. Officer Lattanzio walks Mr. Alvarado to the front of the house who is still wearing his glasses.

Summary of Booking Video capturing the conduct of Officer Thomas Lattanzio.

In the Booking video, Officer Lattanzio is seen walking up the ramp at 10:43 with Mr. Alvarado while at the same time several officers are bringing in Mr. Diaz who is in the sally port. Officer Lattanzio and Mr. Alvarado walk around Mr. Alvarado and proceed to the Booking processing area. Officer Lattanzio removes the handcuffs off of Mr. Alvarado at which point Mr. Diaz is brought to the processing area. Inside the Booking processing area, Officer Daniel Faroni is standing to the far left, Mr. Diaz is directly to his right, then Officer Lattanzio who is to Mr. Diaz's right, and Mr. Alvarado to the right of Officer Lattanzio. Note that the viewer can clearly see that Mr. Diaz is handcuffed to the front.

Officer Lattanzio continues to process Mr. Alvarado and his belongings while Officer Faroni processes Mr. Diaz. During this process, Officer Lattanzio seems to be just focused on processing Mr. Alvarado and does not pay any attention to Mr. Diaz.

At 10:49:04, Mr. Diaz who is talking to the other parties that have been arrested, turns to his left and appears to brush Officer Lattanzio on his left arm. Officer Lattanzio reacts by pushing Mr. Diaz with his left arm. Note that Officer Lattanzio does not say or interact with Mr. Diaz at any time before this. Mr. Diaz reacts by telling Officer Lattanzio that he has a broken leg. Officer Lattanzio is then observed talking to Mr. Diaz, however, a viewer cannot hear what is said, but it causes Mr. Diaz to respond that he will punch Officer Lattanzio right back and continues to yell profanities at Officer Lattanzio. Officer Lattanzio ignores Mr. Diaz's comments and continues to process Mr. Alvarado and Officer Faroni continues to process Mr. Diaz.

At 10:51:08, Officer Lattanzio and Mr. Diaz start to speak to each other and are observed laughing together. The initial conversation cannot be made due to the other prisoners talking at the same time, but you hear Mr. Diaz tell Officer Lattanzio that, "I am fuck you in your nose." At this time, Officer Lattanzio and Mr. Diaz are still only a few inches away from each other.

At 10:52:32, Mr. Alvarado looks over at Mr. Diaz and tell him to relax and now they are talking to each other. Officer Lattanzio turns to Mr. Diaz and says something to him, but again a viewer cannot hear due to the other prisoners speaking at the same time.

At 10:52:46 Mr. Diaz then taps Officer Lattanzio on the left shoulder which causes Officer Lattanzio to turn around and push him with his right hand. Officer Lattanzio starts pointing his finger at Mr. Diaz and a few seconds later, again pushes Mr. Diaz. Mr. Diaz reacts by swiping Officer Lattanzio's hand out of the way and they continue to argue.

Officer Stephen Silva then steps in the middle of Officer Lattanzio and Mr. Diaz who continues to yell profanities at Officer Lattanzio. A few seconds later, Mr. Diaz spits at Officer Lattanzio who then stops the processing of Mr. Alvarado, puts his pen away in his left chest pocket and strikes Mr. Diaz in the left

side of his face with a closed fist using his right hand. Mr. Diaz immediately falls to the ground right at the entrance which leads up to the cells while Officer Lattanzio continues processing of Mr. Alvarado. Mr. Diaz stays in the ground for several minutes and is later placed in cell number 7 by several detention officers and officers. Mr. Diaz is later transported to the Hospital. Once Officer Lattanzio is finished processing Mr. Alvarado, he goes into the report writing room and starts typing. Officer Lattanzio leaves Booking at 01:58 hours.

The undersigned Sergeant has determined, a finding of "Separated from Service" as a requirement of Bridgeport Police Department Policy and Procedure Order, number 4.02 which states in part: "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

20. Civilian Detention Officer Angelique Cruz

Summary of statement given by Civilian Detention Officer Angelique Cruz summarized by Sergeant Fabio Pereira, Civilian Detention Officer Angelique Cruz stated the following among other things:

This interview was conducted by Sergeant Milton Johnson and present was Sergeant John Klesyk and Union Steward Detention Officer Michael McCargo on October 31, 2017. This interview utilized audio taped log # 5955. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Detention Officer Cruz stated that she has been with the Bridgeport Police Department for four months and has been working in Booking for about a month and half.

Detention Officer Cruz indicated that the Booking Sergeant that night was Sergeant Mark Belinkie. Detention Officer Cruz described her responsibilities as marking down inmate's times as they come in, writing down the inmate's first and last names, making sure their paperwork are all in line, reading them their charges and bonds and finishing their inventory paperwork.

Detention Officer Cruz stated that on October 21, 2017 they had multiple parties come into Booking at multiple times all at the same time. Detention Officer Cruz stated that there were two females and she didn't remember how many males. According to Detention Officer Cruz, one of the combative parties that came in was unable to walk. Detention Officer Cruz described the scene as chaotic

Detention Officer Cruz indicated that she started to pat down Mr. Jose Alvarado and that there was one of the combative parties in the holding cell that was yelling and screaming the whole time. Detention Officer Cruz relates that there was one other male in the front desk and she continued to pat him down. Detention Officer Cruz stated that while patting down Mr. Alvarado she turned and saw the officer to the left of her (Officer Thomas Lattanzio) strike the inmate (Mr. Peter Diaz). Detention Officer Cruz continues that the party was brought down to the floor and according to Detention Officer Cruz, she did not see Mr. Diaz spit on the Officer, however, she did note that Mr. Diaz was handcuffed when he was struck.

Detention Officer Cruz conveyed that she stayed with her inmate she was working with and continued to calm him down because she did not want to get him involved since he was not handcuffed. Detention Officer Cruz states that she finished with Mr. Alvarado and then escorted him to the cell. Detention Officer Cruz adds that while she was escorting Mr. Alvarado to the cell, she also helped escort Mr. Diaz to his cell who was in the cell block entrance door area. Detention Officer Cruz noted that she Mr. Diaz was placed in cell number 7. Detention Officer Cruz stated that during the academy they prepared her to expect situations like this but that she has not been in a situation like this before.

Detention Officer Cruz stated that she left approximately at 11:10 pm and that she made some notes on the blotter before leaving. Detention Officer Cruz indicated that she spoke to Detention Officer Jose Figueroa and Detention Officer Sylvia Firpi.

Detention Officer Cruz states that when she came in to work the next day, she was instructed by Detention Officer Louise May to make a late entry into the blotter with a summary of what had occurred the night of the incident.

Summary of Booking Video Capturing Detention Officer Cruz

In the Booking video footage, Detention Officer Cruz is observed opening the door of the sally port for Mr. Diaz at 22:42 hours. Detention Officer Cruz holds the door also as Mr. Jose Alvarado is being walked in to Booking with Officer Thomas Lattanzio. Detention Officer Cruz immediately starts to process Mr. Alvarado. A few minutes later the incident involving Officer Lattanzio occurs where he punches Mr. Diaz occurs and Detention Officer Cruz is standing next to Mr. Alvarado.

The viewer can see that Detention Officer Cruz is only a few feet away and can clearly see the incident. Note that she reports this in her statement. Detention Officer Cruz also appears to be talking to Mr. Alvarado trying to calm him down and to keep him away from the other Officers. At approximately 22:55 hours, Detention Officer Cruz walks Mr. Alvarado to his cell and then places him inside. At the same time, Mr. Diaz is being placed inside the cell and Detention Officer Cruz is observed standing by.

Detention Officer Cruz goes back out to the Booking desk and assists the Officers as they are taking the prisoners out of the holding cell. Detention Officer Cruz then assists Officer Mirtsopoulos in the processing of Mr. Ramon Davila. Detention Officer Cruz goes back out to the Booking desk and makes notations on the Booking Blotter and appears to be talking to Detention Officers Figueroa and Detention Officers Firpi. Detention Officer Cruz leaves Booking at 23:16 hours with Detention Officers Humphrey and Detention Officer May.

The undersigned Sergeant has determined Civilian Detention Officer Angelique Cruz has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

21. Police Officer Hugo Stern

Summary of Police Report authored by Officer Hugo Stern.

Responded to the area of 316 Colorado Ave on a report of a large party/ festival with spot lights and loud music. Officer McLaughlin (B11) requested backup and any other available units to assist at this time. Upon arrival, I observed several non-compliant individuals that were being escorted out by officers from the said dwelling. An individual later identified as Carmelo Mendez (S1) who was videotaping the incident with his cell phone as officers were attempting to clear the large party became uncooperative and defensive as I placed my hand on his arm in an attempt to guide him out. Said individual (S1) who appeared intoxicated at this time swung his arm at me in an outward motion in order to prevent any further contact, stated "don't touch me, this is my house" and continued the hostility towards the officers that were attempting to control the situation. It should be noted that Mendez (S1) did not inform the officers at any moments that he was in possession of a firearm nor did he state that he had a Ct State Pistol Permit. Assisting officer Szeps (PK) immediately approached Mendez (S1) who was interfering at this time and advised him that he was under arrest. Mendez (S1) refused to cooperate and was subsequently subdued by assisting officer. It should be noted that Mendez (S1) was found to be in possession of a firearm that was seized by officer Szeps (PK) and that the said firearm was quickly handed out to myself for safe-keeping at this time. See officer McLaughlin's file and addendum from officer Szeps (PK) for further details on this incident.

Summary of statement given by Officer Hugo Stern, summarized by Sergeant Fabio Pereira, Officer Hugo Stern stated the following among other things:

On October 31, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Officer Hugo Stern in the Office of Internal Affairs. *See Officer Stern's complete statement for specific details.*

Officer Stern has been employed with the Bridgeport Police Department for fifteen and a half years. Officer Stern stated that when he heard the call for the 10-32 (Officer needs Assistance) he was coming from Fairfield Avenue and Broad Street. Officer Stern indicated that when he arrived on scene he observed several individuals being escorted out from the house by assisting officers. Officer Stern remembered Officer Daniel Faroni escorting some one out and described seeing a lot of Police cars on scene.

Officer Stern stated that he then proceeded to the backyard by a gate that was open which lead to the backyard. Officer Stern conveyed that there was a lot of non-compliant individuals that were creating a disturbance and that they were attempting to gain control of the situation and attempting to clear the backyard.

While in the backyard, he observed an individual identified as Mr. Carmelo Mendez videotaping the incident. Officer Stern relates that he told whoever was back there that they had to leave. According to Officer Stern, Mr. Mendez was non-compliant, and he then placed his left hand on his arm and told him that he had to leave. Officer Stern explains that Mr. Mendez swung at his arm in an outward motion to get his hands off him and said, "Don't touch me. This is my house." Officer Stern indicates that Mr. Mendez was hostile and appeared intoxicated.

Officer Stern reports that Officer Adam Szeps was observing what was going on as they were trying to gain control of the situation and he told Mr. Mendez that he was under arrest and to place his hands behind his back. Officer Stern continues that Mr. Mendez refused to cooperate by not putting his hands behind his back when he was told. Officer Stern states that Officer Szeps subdued Mr. Mendez by taking him to the ground.

Officer Stern indicated that Officer Szeps then screamed gun and retrieved a firearm from Mr. Mendez. Officer Stern points out that Mr. Mendez never stated that he was in possession of a firearm nor that he had a pistol permit. Officer Stern relates that he believed that he saw one other Officer assisting Officer Szeps, but he can't recall who. Officer Stern added that he would have possibly arrested Mr. Mendez when he flipped his arm at him for Interfering.

Officer Stern states that Officer Szeps handed the firearm to him since he was right behind him and that he made it safe off to the side near the deck area. Officer Stern expresses that by the time he cleared the gun, Mr. Mendez was handcuffed and that they stood him up and escorted him out.

Officer Stern expresses that he did not see any Officers strike Mr. Mendez while he was on the ground. Officer Stern also stated that he did not see anyone strike Mr. Mendez after he was already handcuffed. Officer Stern conveys that he observed Sergeant Jeffrey Long and told him what had transpired. Per Officer Stern, Sergeant Long stated that Sergeant Ivan Delgado was the West Side Sergeant and to express his concerns with him. Officer Stern stated that he later gave the firearm back to Officer Szeps out in the street.

Officer Stern stated that he then went to Booking and spoke to Sergeant Ivan Delgado who informed him that a Use of Force was not necessary. Officer Stern indicates that he then completed an addendum.

Summary of Video Footage provided by Mr. Carmelo Mendez

Upon reviewing the video footage provided by Mr. Carmelo Mendez from his cell phone, it shows Officer Stern walk in at approximately 2:52 minutes into the video. As soon as Officer Stern walks in he says, "Let's Go". Officer Stern then walks directly towards Mr. Mendez and as soon as he approaches him, he again says, "Let's go, party is over let's go" and Mr. Mendez replies by saying, "Don't touch me." Note that this matches Officer Stern's statement.

Officer Stern again tells Mr. Mendez, "Let's go" and Mr. Mendez says, "This is my sister house". Officer Stern repeats, "Let's go" and then a viewer can hear Officer Szeps say, "You are going" and the camera goes blurry. The viewer can hear someone say, "What are you talking about" but it cannot be determined who says it. At this point, the cell phone is still recording, however, a viewer cannot see the video clearly. You then hear people screaming and then Mr. Mendez say, "Yo, he just hit me" and the viewer can hear a struggle going on in the background. Right after that Officer Szeps yells, "He's got a gun, he's got a gun." The video ends after this point.

Summary of Video Footage provided by Attorney Robert Berke

In this video footage under Channel 6, Officer Stern walks in to the backyard at 10:28:37 hours. And starts to walk towards the rear of the driveway. Note that this video footage does not have audio. Officer Stern then walks right towards Mr. Mendez who can be seen recording the incident with his cell phone. Mr. Mendez is then observed raising his arm right after Officer Stern approaches him. Note that this matches what Officer Stern states in his statement.

It is at this point (10:29:35) that Officer Szeps walks up to Mr. Mendez and grabs him by his left arm and takes him to the ground. Once Mr. Mendez is on the ground, several Officers now converge on Mr. Mendez. Officer Stern, however, is not seen in the with the Officers dealing with Mr. Mendez and he is out of camera view. Officer Stern is then observed a few minutes later at which time, Mr. Mendez is up on his feet and being walked away by Officer Szeps and Officer Silva. Officer Stern walks behind them and they walk to the front of the house.

Officer Stern is observed under Channel 4 walking behind the Officers and they then go out of camera view. At approximately 10:46:09, Officer Stern comes into the camera view and is observed walking towards his vehicle and then leaves after that.

Summary of Booking Video

In the Booking video, Officer Stern is seen walking in to the report writing room at 11:09:33 where he remains for the remainder. Officer Stern does not enter the Booking area when any of the incidents involving Officer Lattanzio or Sergeant Scillia take place and he leaves Booking at 12:48:30am on October 22, 2017.

The undersigned Sergeant has determined Officer Hugo Stern has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

22. Police Officer Anthony Gianpoalo

Summary of statement given by Officer Anthony Gianpoalo, summarized by Sergeant Fabio Pereira, Officer Anthony Gianpoalo stated the following among other things:

On November 1, 2017, Sergeant Fabio Pereira and Sergeant Lawrence Lazaro conducted a taped interview of Officer Anthony Gianpoalo in the Office of Internal Affairs. *See Officer Gianpoalo's complete statement for specific details.*

Officer Gianpoalo has been employed with the Bridgeport Police Department for five years. Officer Gianpoalo stated that on October 21, 2017, he was assigned to Saint Vincent's Hospital on overtime in the ICU which is located on the eight-floor. Officer Gianpoalo indicated that he was in the Hospital the entire shift and only left the Hospital for a lunch break at approximately 1900-2000 hours to go to Vazzy's. Officer Gianpoalo stated that he was relieved by Officer Hugo Stern and that he did not go at any time to 316 Colorado Avenue.

The undersigned Sergeant has determined Officer Anthony Gianpoalo has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

23. Police Officer Juan Hernandez

Summary of statement given by Officer Juan Hernandez, summarized by Sergeant Lawrence Lazaro, Officer Hernandez stated the following among other things:

On November 1, 2017, Sergeant Lawrence Lazaro and Sergeant Fabio Pereira conducted a taped interview of Officer Juan Hernandez in the Office of Internal Affairs. *See Officer Hernandez's complete statement for specific details.*

Officer Juan Hernandez has been employed with the Bridgeport Police Department for ten years. Officer Hernandez states on the night of October 21, 2017 he and his partner Officer Diez were assigned to car Green 36. They were assisting car Green 39, Officer Christie on a call on Central Avenue when they heard a 10-32 transmitted on the Police radio followed by another call for cover to the same location. Upon hearing the second call for cover Officer Hernandez and his partner completed the call on Central and headed over to Colorado Avenue to assist.

By the time Officer Hernandez and his partner Officer Diez arrived on scene the situation was already under control. Most of the street was blocked with Police cars causing him to park his vehicle at Fairfield Avenue and Colorado Avenue and walk down. As he and his partner approached the driveway he could see that their assistance was no longer needed. He observed a woman in the front yard in custody. He also observed Sergeant Scillia and Officer Sherback on scene. Officer Hernandez spoke with Officer Sherback briefly before departing.

Officer Hernandez states that once he was comfortable that everything was under control, he walked back to his Police vehicle and resumed patrol until the end of his shift. He did not report to booking and he did not complete any reports.

The undersigned Sergeant has determined Officer Juan Hernandez has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

24. Police Officer Freddy Neil

Summary of statement given by Officer Freddy Neal, summarized by Sergeant Jessi Pizarro, Officer Neal stated the following among other things:

On November 2, 2017, Sergeant Lawrence Lazaro and Sergeant Jesse Pizarro conducted a taped interview of Officer Freddy Neal in the Office of Internal Affairs. *See Officer Neal's complete statement for specific details.*

Officer Neal stated he has been employed with the Bridgeport Police Department since February 2014. Officer Neal states on the night of October 21, 2017 he was assigned to housing with his partner Officer Jesse Meade. They were patrolling the Greene Homes when the 10-32 was transmitted so they started heading over. They didn't make dispatch aware they were heading over because usually you try to keep the radio clear. He believed Officer Natalie McLaughlin called out the 10-32.

Officer Neal stated when they got there, it was pure chaos, loud music and people screaming. He stated he parked a few houses back because there were a bunch of Police cars already there. Officer Neal stated when he got about midway down the driveway, there was a Hispanic male wearing a red t-shirt scuffling and Officers were trying to get him under control and trying to take him to the ground. Officer Neal stated the Hispanic male's hands were behind his back as they got him to the ground, so Officer Neal grabbed his wrists and another Officer handcuffed him, but he can't remember the Officers he assisted.

Officer Neal stated while he was holding the subject's wrist, he stood up, when he heard someone shout, "He's got a gun". "He's got a gun". He turned around and there was another Hispanic male on the floor with a bunch of Officers surrounding him, he believes trying to gain access or trying to grab the gun. He stated he did not know what Officers were surrounding the other Hispanic male, he was trying to get in and help but he couldn't, shortly after he was handcuffed.

Officer Neal stated he could hear the suspect say, "I didn't do anything", "I didn't do anything" as the Officers were yelling out "Gun" and stating to the suspect, "Stop Resisting". Officer Neal said that at the time, there were people running around so he was trying to make sure he didn't get hit and trying to do crowd control. Officer Neal stated he didn't talk to anyone but there were others there who were screaming the whole time saying, "I'm going to fuck you up". "You guys get the fuck off him". So, he was making sure they weren't going to jump because it was a big crowd and a bunch of people around it.

Officer Neal was asked if he saw any Officer get assaulted and he stated no. He was asked if he saw anyone resisting and he stated the male he assisted holding his wrist and the suspect that supposedly had a gun. Officer Neal was asked if he observe any Officers use a weapon or tool from their belt to subdue the suspect and he stated that he did not. He was asked if anyone gave him or did he give anyone tools to use on any suspects and he stated no. He said he could not see because there were too many Officers with their backs towards him. He stated he couldn't even see the suspect on the floor. He was asked to describe the suspect and Officer Neal stated he was a thicker Hispanic male with spiked hair, but he only saw him from behind.

Officer Neal was asked if he remembers seeing any supervisors on scene and he stated he did not. He was then asked if anyone gave him instructions on what to do while he was there, and he stated he acted on his own. Officer Neal was asked if he made any arrest and he stated that he did not. He was asked if he had to use force and he said he just guided his hands to be handcuffs.

Officer Neal was asked to estimate how many people were there when he arrived, and he stated 12-15. He stated they were shouting, recording and some would get in Officers faces with the cameras saying, "Get

the fuck back", *"fuck you"*, *"Get off my fucking property"*. Officer Neal stated he cannot say for sure if they were intoxicated but he was able to see bottles on the ground.

Officer Neal stated he stayed in the yard the whole time, he never approached the porch area, nor can he see the porch from his vantage point. He was concerned with the people in his immediate area. He was asked did he see any kids outside and he stated that he did not. Officer Neal was asked while on scene what Officers did he see, and he stated he did see Officer Natalie McLaughlin, his partner Officer Meade and he believes that everyone for the most part was there. He stated that he was dealing with the suspect, so he can't say with confidence who was there and who was not. Officer Neal was asked if he saw injuries to anyone arrested and he stated that he did not. He was then asked did he call for medics or did he see any medics on scene. He stated as he was leaving he believed he saw medics two house down.

Officer Neal was asked if he placed anyone in his vehicle and he stated that he did not. He was asked if he spoke to any citizens on scene and he stated that he did not. He was asked he completed any reports such as incident, use of force and he stated that he didn't think he needed too because all he did was assist in handcuffing. He was asked if he was given any instructions by any supervisor and he stated no one ever spoke to him.

Officer Neal stated once they were walking the subject with the gun towards the patrol cars, he found his partner and they cleared 316 Colorado Avenue. He and his partner went back to the Greene Homes.

Officer Neal was asked while on scene did he observe a civilian in a wheelchair. He stated when he arrived on scene he saw a male in a wheelchair in front of the house. He was just parked there. He did not see him after they cleared the scene. Officer Neal was asked once they headed back to their patrol car did they notice a wheelchair in the middle of the road and he stated that he did not. He was then asked did he see any officer kick a wheelchair to the curb and he stated he did not.

Officer Neal was asked once they were in their patrol car, did he discuss the incident with his partner and he stated they talked about how crazy it was and how people were not listening, so they discussed everything. He was asked if he spoke to his partner concerning on what he did and went and he said Officer Meade told him that he was making sure everyone was good, that's about it. Officer Neal was asked if there were guys still left on scene when they left, and he stated they were the first ones to leave and they had to reverse out because the streets were still full. He further was asked if anyone was being placed in police vehicles when he was leaving the scene and he stated no. He stated that he remembers a male and female civilian standing behind a table, but he doesn't remember seeing anyone else.

Officer Neal was asked once he left the scene did they go to booking at all or was he or his partner called to assist in booking for any reason and he stated they were not. He was asked did anyone supervisor asked them to write a report and he stated no they were not asked. He was asked the next day did anyone talk about the incident in line up he stated yes, they did. They were talking how 10-32 are bad and how crazy it was. He was finally asked if there was any other incident that was big that night and he stated no.

Upon reviewing the video provided of 316 Colorado Avenue Officer Neal is observed entering the driveway of 316 Colorado Avenue. He walks past the gate midway along with his partner Officer Jesse Meade down the driveway where the first set of tables were situated. The viewer see other Officers begin to arrest someone near the gate catching Officer Neal's attention. He heads in that direction with his partner following him and he disappears from camera view.

Officer Neal then walks back into the yard along with his partner, moments later, Mr. Mendez is taking down by other officers as Officer Neil and Meade watched. According to Officer Neil's sworn statement, he was in the process of assisting other Officers with a different suspect when he heard gun and turned

back to see someone getting arrested by a bunch of Officers. There are inconsistencies based on the video and his statement. The video then shows he attempts to assist but was unable to because of the number of Officers already dealing with the suspect. He circles the bunch of Officers as he moves from the view of the camera.

Moments later, he appears in the view of the camera from the back as they are lifting the suspect from the ground as he watched with his partner Officer Meade along his side. Officer Neal then stands by the table for a moment next to Officer McLaughlin and Officer Remy. You then see

Officer Meade walk towards the front of the house out of view of the camera as his partner stays in the backyard standing next to Lieutenant Sapiro. Officer Meade and Officer Neil then stand in the driveway at the front of the house for a few minutes and then walk towards the street away from the view of the camera.

The undersigned Sergeant has determined Officer Freddy Neal has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

25. Police Officer Jesse Meade

Summary of statement given by Officer Jesse Meade, summarized by Sergeant Fabio Pereira, Officer Meade stated the following among other things:

On November 2, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Officer Jesse Meade in the Office of Internal Affairs. *See Officer Meade's complete statement for specific details.*

Officer Meade stated he has been employed with the Bridgeport Police Department since February 2014. Officer Jesse Meade stated he was working on October 21, 2017 and was assigned to Housing Vehicle (HA # 2) with his partner Officer Freddy Neil. Officer Meade stated that they were in the Greene Homes when they heard the call of a 10-32 (Officer Need Assistance). Officer Meade described a 10-32 when an Officer needs emergency assistance and there are not enough officers on scene.

Officer Meade stated they responded to 316 Colorado Avenue and they observed a line of police cars. They parked approximately 6-7 police cars back. Officer Meade indicated that he walked towards the address to make contact with the Officer that called the 10-32 to ensure that they were okay and stated that it appeared to be a house party that was out of control. Officer Meade explained that there was loud music, children, and alcoholic beverages and that an individual in a wheel chair was being wheeled out by Officer Daniel Faroni, but he was unsure if he was under arrest or just being wheeled out. Officer Meade he did see anyone else being walked out at that time.

Officer Meade stated he walked down the driveway which was on the side of the house and continued towards the backyard through a gate that was wide open. According to Officer Meade, the music was still playing, and he saw a lot of Officers and the crowd was being hostile towards the police and were yelling lots of obscenities. Officer Meade stated that there was a Hispanic woman that was in the driveway sitting on a chair on the right-hand side yelling, "*You don't have the right to be here, it's just a party for our kids.*" Officer Meade stated that he was unsure if she was the owner of the house.

Officer Meade was asked if he was aware if the property had surveillance cameras and he stated he had no knowledge. Officer Meade that while on scene he noticed once person that was recording who he described as a male approximately 5'9"-5'10" and heavy set. Officer Meade stated the male recording was saying, "*You can't be here, this is a kid's party, you need to leave*". He stated he continued walking into the backyard and he walked past by approximately 6-7 officers.

Officer Meade was asked if when he arrived if he felt that he was in danger. Officer Meade answered that he initially did no because he did not know what was going on, but when he got to the driveway where the incident occurred he did feel a little bit worried because there were a lot of people and the police did not have control of the scene. Officer Meade described it as a 360-degree threat because it was not under control. Officer Meade stated that he didn't make it too far into the driveway and that never made it to the porch area because he didn't go that far.

Officer Meade related that he observed Officer Joseph Cruz trying to arrest a suspect and that Officer Cruz had brought the suspect to the ground and was struggling to get him in cuffs.

Officer Meade conveyed that a few Officers, which included him and his partner Officer Neil, kneeled on the suspect to hold him down while at the same time watching the crowd behind them to his right. Officer Meade indicated that the suspect was then handcuffed, and Officer Cruz took him away. Officer Meade stated he did not strike nor did he see any of the Officers strike the suspect while he was being arrested nor did the suspect have any injuries.

Officer Meade states that Officer Adam Szeps decided to place the subject under arrest that was videotaping. Officer Meade reveals that the subject, Mr. Carmelo Mendez, resisted Officer Szeps efforts and was then brought to the ground by him. Officer Meade articulates that while Mr. Mendez was being brought to the ground, Officer Szeps started screaming, "Gun, Gun, Gun" and more Officers tried to help but that there was not enough room and other Officers were in the way. Officer Meade articulates that as Mr. Mendez was going down and simultaneously with Officer Szeps saying, "Gun, Gun, Gun", he tried to get at him to control his hands but there were too many Officers in the way.

Officer Meade states that at one point he was standing over Mr. Mendez's left and that there were other Officers standing around. Officer Meade indicates that after the Officer got up, he was watching both Mr. Mendez and the Officers back.

According to Officer Meade, he did not know what had initially happened to cause Officer Szeps to take Mr. Mendez to the ground. Officer Meade explained that Mr. Mendez was belligerent and yelling, "Why are you doin' this to me?". Officer Meade indicates that there was a lot of Officers and since it was dark, he does not remember specifically who the other Officers were.

Officer Meade then discloses that he observed Detective Kenneth Fortes assisting with the arrest of Mr. Mendez. Officer Meade notes that Detective Fortes was on Mr. Mendez's torso trying to help. Officer Meade states that Mr. Mendez was placed under arrest fairly quick after he was taken to the ground and that he tried to help but there were other Officers in the way, so he stayed back for the others that were still there.

Officer Meade states that he did not observe any Officers strike, kick, use a baton or a taser on Mr. Mendez nor did he observe any injuries on him. Officer Meade conveys that once Mr. Mendez was picked up and brought down the driveway, he was just standing around for the rest of the people that were there. Officer Meade states that at that point the scene was calm, and he and Officer Neal left and went back to patrolling.

Officer Meade indicates that while at Colorado Avenue he did not drop anything nor was anything handed to him. Officer Meade also noted that that during the incident with Mr. Mendez, he did not receive anything from any of the other Officers. Lastly, Officer Meade remembered seeing Sergeant Stacey Lyons in the backyard area after the arrest of Mr. Mendez.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Jesse Meade.

By reviewing Channel 7, the viewer can observe Officer Meade walking towards the driveway at 10:28:21 at which point, Officer Daniel Faroni is pushing Mr. Peter Diaz, who is in a wheelchair, onto the street. Officer Meade then walks to the driveway.

Under Channel 6, at 10:28:40 a viewer can see Officer Meade standing around and then Officer Cruz is seen taking Mr. Ramon Davila to the ground. Officer Meade walks over to the area; however, the video footage does not capture Mr. Davila being placed under arrest.

Officer Meade is then standing around again and Mr. Mendez is taken to the ground by Officer Szeps (10:29:35). A few seconds later, a viewer can see Officer Meade as well as other Officers converge on Mr. Mendez at the same time. Officer Meade attempts to assist; however, he is blocked by other Officers and then stands over the other Officers as well as Mr. Mendez. At 10:29:44,

Officer Meade is observed reaching over Mr. Mendez, however, it cannot be determined if he is handed something or he grabs an object.

At 10:30:31 everyone stands up and clear back and Officer Meade is looking at both Mr. Mendez and towards the backyard area where there are two civilians sitting down.

Officer Meade states that he does not remember any other Officers on scene, but while he is standing over Mr. Mendez, Sergeant Paul Scillia is right next to him. Also, Lieutenant Robert Sapiro and Sergeant Delgado walk right in front of him after the incident involving Mr. Mendez.

Officer Meade walks out of the backyard at 10:32:05 to the front of the house. Officer Meade eventually leaves the scene at 10:34:35 where he is seen walking back to his car.

The undersigned Sergeant has determined Officer Jesse Meade has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

26. Police Officer Julio Diez

Summary of statement given by Officer Julio Diez, summarized by Sergeant Fabio Pereira Officer Julio Diez stated the following among other things:

On November 2, 2017, Sergeant John Klesyk and Sergeant Milton Johnson conducted a taped interview of Officer Julio Diez in the Office of Internal Affairs. *See Officer Diez's complete statement for specific details.*

Officer Diez stated he has been employed with the Bridgeport Police Department approximately 10 years. Officer Diez stated on October 21, 2017 he was in car Green 36 with Officer Juan Hernandez Jr. covering Green 39 on Central Avenue. According to Officer Diez, they were on the tenth floor of the building when the call for the 10-32 (Officer needs assistance) came out over the radio. Officer Diez continues that it took them a while to get to the elevator and once at their car, they headed to Colorado Avenue.

Officer Diez indicated that they parked on Fairfield Avenue and Colorado Avenue because of all the cars that were parked on the street. Officer Diez reveals that when he exited his car he took out his baton out fearing that there still might be a crowd since there had not been any updates over the radio. Officer Diez reports that he walked down Colorado Avenue about mid-block and noticed where all the Officers were and then walked into the driveway into the rear to make sure nothing was going on. Officer Diez points out that at point there was nothing going on and observed a couple sitting in the back.

Officer Diez relates that there was one suspect already in handcuffs that was being placed into a police car. Officer Diez states that a female came up to him and asked if she could check on her six-month niece. Officer Diez noted that he put his baton away during his interaction with the female. Officer Diez indicates that he escorted her to the back and that the same couple told her that her niece was fine and that she was inside the house. Officer Diez then stated that he escorted her back to the street and found his partner, Officer Juan Hernandez Jr, and went back to the car and resumed patrol.

During the course of the interview, Officer Diez stated that he did not go hands on with anyone nor did he observe anyone go hands on with anyone at the location. Officer Diez also indicated that he did not make any arrests or assist any Officer to make an arrest. Officer Diez added that he did not see anyone resisting during his time at Colorado Avenue which he approximated to be 5 to 10 minutes.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Diez

By reviewing Channel 1 which faces the North side of Colorado Avenue, a viewer can see Officer Diez walking towards the house. As Officer Diez is walking, he takes out his baton and snaps it open. Under Channel 7, Officer Diez is observed walking to the backyard of the house with his baton on his left hand. Note that Officer Diez indicated in his statement that he took out his baton out fearing that there still might be a crowd since there had not been any updates over the radio. Officer Diez then speaks to a woman and escorts her to the backyard.

Under Channel 6, Officer Diez is observed in the backyard, but at this time there is nothing significant that occurs while he is on scene. Officer Diez walks back out to the front of the house and then is seen walking back to his patrol car (Channel 1) which is out of camera view at 10:35:00. Officer Diez is not seen at any time in Booking.

The undersigned Sergeant has determined Officer Julio Diez has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

27. Police Officer Mark Blackwell

Police Report authored by Officer Mark Blackwell

While on patrol at above time and date, I, P/O M. Blackwell was assigned to P8 and responded to assist B-11 – P/O N. McLaughlin who came over our Channel 1 airway requesting for additional units.

As I arrived on scene, I began walking towards the residence when P/O M. Mazzacco called out a 10-32 which is our ten code that an Officer Needs Emergency Assistance and all available units to respond. As I walked up the driveway, P/O M. Mazzacco was being confronted by a female party / Suspect #1, Wanda Mendez, who was being argumentative and aggressive and yelling at him directly in his face and preventing him from going into the backyard. Mendez was completely uncooperative and kept stating that Officers can't be on her property without a warrant and "To Get The Fuck Out Of Here."

P/O M. Mazzacco then advised Officers on scene that he was going to have multiple arrests. As P/O Mazzacco began to walk towards the back of the residence, Mendez shoved P/O Mazzacco in his chest area using both of her hands and he immediately detained her and placed her in handcuffs with another assisting Officer.

I then observed another elderly female / Suspect #4, Sara Deida, who was extremely angry and kept yelling and screaming at Officers and disregarded any verbal command to "back away." Deida then threw a crumpled a plastic cup and threw it on the ground towards P/O M. Mazzacco. I then took into consideration that Deida was an elderly female and I asked a young female party if she could Deida take inside the residence and the female party escorted her away. As I tried to calm people down and to wait for more Officers to arrive on scene to gain control of the situation, another male party in a wheelchair / Suspect #3, Peter Diaz, had positioned his wheelchair just before the bottom porch steps and a table to prevent anyone passing to assist other Officers.

I then began to move the wheelchair backwards toward the fence at which time P/O Mazzacco advised me that Diaz was going to be arrested and bring him to the front of the residence. As I was standing next to Deida, Deida was now standing on the back porch and threw liquid possibly water down on us from the back porch which went all over my face and duty uniform and equipment - radio mic.

As I looked up, Deida was now screaming and waving both of her arms. I immediately went up the porch steps through a crowd of people to prevent Deida from throwing anymore liquid or possibly objects at us. I then quickly detained Deida by turning her around facing away from me and P/O M. Johnson and myself held both of her arms as she tried to pull away and P/O N. McLaughlin handcuffed her without incident.

P/O Johnson then removed his handcuffs from her right wrist as he attempted to handcuff her. Deida continued to yell and scream at Officers and the only thing I understood her say was that she didn't speak any English. Myself and P/O Johnson then escorted Deida from the back porch and down the driveway to the front of the residence where she was then patted down by P/O L. Castillo for weapons which checked cleared, Deida was then placed in the back seat of a marked patrol car. PLEASE REFER TO P/O N. MCLAUGHLIN INCIDENT REPORT FOR ARREST DETAILS.

Summary of statement given by Officer Mark Blackwell, summarized by Sergeant Fabio Pereira, Officer Mark Blackwell stated the following among other things:

On November 2, 2017, Sergeant John Klesyk and Sergeant John Burke conducted a taped interview of Officer Mark Blackwell in the Office of Internal Affairs. *See Officer Blackwell's complete statement for specific details.*

Officer Blackwell stated he has been employed with the Bridgeport Police Department approximately 11 years. Officer Blackwell stated that on October 21, 2017 he was assigned as Post 8 and was on Chapel Street when he overheard Officer McLaughlin request more assistance at 316 Colorado Avenue. Officer Blackwell went on to state that after parking his patrol vehicle, and approaching on foot, Officer Mazzacco called out a signal 32, causing Officer Blackwell to hurry his pace.

Officer Blackwell stated that as he walked up the driveway, he observed a female confronting Officer Mazzacco and "being aggressive and belligerent" and preventing Officer Mazzacco from going into the rear yard and telling him to get off of her property. Officer Blackwell went on to state that Officer Mazzacco then communicated to him that there was going to be multiple arrests, at which time the female shoved Officer Mazzacco in his chest. Officer Blackwell then stated that Officer Mazzacco then detained that female with the aid of another officer.

Officer Blackwell stated that he also observed an older female subject on scene that was "angry, irate, screaming" and disregarding verbal commands. Officer Blackwell went on to state that he managed to get a younger female party to escort the older female into the house.

Officer Blackwell stated that he observed numerous open liquor bottles as he made his way toward the rear yard. Officer Blackwell went on to state that he also observed a male party that was in a wheelchair that was blocking Officers' path from proceeding further. Officer Blackwell added that he moved the wheelchair out of Officers' path. Officer Blackwell also added that Officer Mazzacco said that the person in the wheelchair (Mr. Peter Diaz) was under arrest.

Officer Blackwell stated that at that time, the elderly female (Ms. Sara Deida) came out onto the porch and threw an unknown liquid down onto them. Officer Blackwell went on to state that he immediately went up and onto the porch and detained Ms. Deida by grabbing her arms. Officer Blackwell continued, stating that Ms. Deida was attempting to pull away, and Officer Matthew Johnson came to assist him. According to Officer Blackwell, Officer Johnson was only able to get Ms. Deida's right handcuffed, however, Officer McLaughlin also came to assist and was able to get both of Ms. Deida's hands, handcuffed. Officer Blackwell added that Ms. Deida was escorted out to the street where she was pat down by Officer Linette Castillo, and then placed in a patrol car.

Officer Blackwell stated that he was then headed back to get Mr. Diaz when he observed that Officer Faroni had already escorted Mr. Diaz to his patrol car. Officer Blackwell went on to state that he went over to assist in getting Mr. Diaz into Officer Faroni's car, and Mr. Diaz was belligerent, uncooperative and appeared to be extremely intoxicated. At that point, according to Officer Blackwell, Officer Mazzacco came over and advised that Mr. Diaz's arrest was going to be custodial in nature. Officer Blackwell continued on, stating that Mr. Diaz eventually let into the patrol car.

Officer Blackwell stated that Officer Faroni then placed Mr. Diaz's wheelchair into the trunk of his patrol car, however, as he pulled off to transport Mr. Diaz to booking, the wheelchair fell out of the trunk and onto the roadway. Officer Blackwell went on to state that another officer, possibly Officer Joseph Cruz, returned the wheelchair to the family.

Officer Blackwell stated that as he was about to return to the rear yard, he overheard a Sergeant Paul Scillia, issue an order that everyone that was handcuffed is to be transported to booking.

Officer Blackwell went on to state that it appeared to him as though the scene was clearing up, so, at that time, Officer Blackwell got into his patrol car, headed over to patrol, and then went home in order to clean up. Officer Blackwell stated that he was contacted by Sergeant Delgado and ordered to complete an addendum upon his return, which was completed the following day.

The undersigned Sergeant has determined Officer Mark Blackwell has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

28. Police Officer Daniel Faroni

Police Report authored by Officer Daniel Faroni (Verbatim)

R/O while working car B17 on Saturday 10/21/2017 a little after 2200 hours responded to a call for assistance from Unit B11 P/O McLaughlin at the location of 316 Colorado Avenue. R/O responded lights and siren and just on getting on Colorado Avenue radio called a 10-32 (all units go). On arrival R/O found police units in the rear and side of house 316 Colorado Avenue where Unit B12 (P/O Mazzacco) was trying to arrest female who was resisting arrest. R/O helped P/O Mazzacco (B12) where the female was detained and placed in the rear of a patrol car.

R/O and other units then went back to the house where the party goes were unruly and challenging and interfering with police and non-compliant. R/O was told by P/O Mazzacco (B12) another suspect was under arrest as well who was in a wheel chair. R/O advised the party he was under arrest who was later identified as Peter Diaz (Suspect). As R/O was wheeling Peter Diaz (suspect) down the driveway R/O was doused with water by an older female from the back porch. R/O wheeled Peter Diaz (suspect) out to the patrol car where he was detained (cuffed).

R/O searched Peter Diaz for weapons and or contraband. Peter Diaz was non-compliant and using profanities telling officers to "suck his dick, fuck all you niggers". R/O was asking for help to get Peter Diaz (suspect) in the rear of the patrol car. Peter Diaz (suspect) then stated "help me out of the chair I'll get in the car myself. Before Peter Diaz (suspect) got in the vehicle he was making threats to P/O Mazzacco (B12), his wife and family. R/O helped him out where Peter Diaz (suspect) got into the rear of the vehicle. Peter Diaz (suspect) was still challenging police and stating, "come see me out of uniform at my house". R/O called in the transport over the radio.

On arrival at the booking ramp Peter Diaz (suspect) became more belligerent and once out of the car refused to stand and was playing games and just sat down refusing to help get walked in. While on the ramp there was Stratford Police Officer (unknown name) helped R/O pick Peter Diaz (suspect) up and get him into booking. Peter Diaz (suspect) was not helping and wouldn't walk and was pulling down on R/O. R/O along with other police had to drag Peter Diaz (suspect) to the booking doors. Peter Diaz (suspect) kept saying "I'm getting my attorney Fitzpatrick he got me off a murder rap". Once inside he then began to help. R/O finally got Peter Diaz (suspect) to the booking counter to get him inventoried where he was still argumentative and making a joke out of everything.

While R/O was trying to fill out an arrest card and inventory Peter Diaz (suspect) remained cuff doing to his anger and threatening behavior. While questioning Peter Diaz (suspect) he spit in P/O T. Lattanzio's eye and shoved at P/O T. Lattanzio. At this the sergeant and booking staff said to just put Peter Diaz (suspect) in a cell until he calms down and is compliant.

R/O was on scene where medics were called to evaluate Peter Diaz (suspect) where he was later transported to the hospital.

Summary of the statement given by Officer Daniel Faroni summarized by Sergeant Fabio Pereira, Officer Faroni stated the following among other things:

On November 2, 2017, Sergeant Santiago Llanos and Sergeant Milton Johnson conducted a taped interview of Officer Daniel Faroni in the Office of Internal Affairs. *See Officer Faroni's complete statement for specific details.*

Officer Faroni stated he has been employed with the Bridgeport Police Department approximately 19 ½ years. Officer Faroni stated that on October 21, 2017 he was assigned as Blue 17. Officer Faroni stated that he responded to 316 Colorado Avenue in response to a female Officer calling out over the radio for additional cover. Officer Faroni also stated that while he was en route, he heard "all units respond" over the air. (Page 4, line 149-150)

Officer Faroni went on to state that when he arrived, there were already a few patrol cars on scene and Officers were attempting to locate the house. Officer Faroni stated that when he got to the rear yard, "there's just a melee in the backyard, like a circus, several of them screaming." Officer Faroni added that he observed Officer Mazzacco attempting to affect arrests, and "the whole family's pretty much... fighting and all" (Page 4, line 148-150)

Officer Faroni described the scene as "chaotic", as "everyone was yelling and screaming" obscenities at the Officers to get off of the property (page 5, Lines 218-9). Officer Faroni estimated there to have been at least twenty civilians in attendance, and he was able to recall observing at least four to five children. Officer Faroni stated that "not one person was complying with us" (page 6, Line 237).

Officer Faroni stated that Officer Mazzacco arrested a female suspect who was "yelling and screaming" telling him to get off of their property, Officer Faroni went on to state that he assisted in escorting this female party to the front of the driveway, and when he got back to the rear yard, Officer Mazzacco began pointing out people and advising Officers of who is getting arrested.

Officer Faroni also stated that Officer Mazzacco pointed to a guy in a wheelchair (Mr. Peter Diaz), and Officer Faroni volunteered to transport him. Officer Faroni continued on, stating that as he was wheeling Mr. Diaz from the rear yard, he was doused with water by an elderly female. Officer Faroni added that he believes another officer arrested the elderly female for throwing water on the Officers. Officer Faroni stated that he continued to wheel Mr. Diaz to his patrol car in order to transport him to booking.

Officer Faroni stated that because Mr. Diaz was in a wheelchair, he handcuffed Mr. Diaz in the front; as such it would enable Mr. Diaz to assist in getting in and out, and in the event that Mr. Diaz was to fall, he would be able to catch himself.

Officer Faroni stated that aside from wheeling Mr. Diaz to his patrol car, he used no physical force with anyone on scene at 316 Colorado Avenue. Officer Faroni also stated that the only Officer that he observed using force, while at 316 Colorado Avenue, was Officer Mazzacco during his arrest of Ms. Wanda Mendez. Officer Faroni also stated that he did not see any supervisors while at 316 Colorado Avenue.

Officer Faroni stated that once he got Mr. Diaz to his patrol car, he sought assistance in getting Mr. Diaz inside. Officer Faroni also stated that Officer Mazzacco and Officer Blackwell came over to assist, however, Mr. Diaz got himself into the car. Officer Faroni added that after Mr. Diaz got into the police car, he put Mr. Diaz's wheelchair in the trunk, and transported Mr. Diaz to booking.

Officer Faroni stated that when he arrived at booking, he went to the trunk to retrieve Mr. Diaz's wheelchair, and discovered that it was not there. Officer Faroni also stated that he was unaware that the wheelchair had fallen out of the trunk of his car, and he was not informed as such over the air. Officer Faroni went on to state that his focus became getting Mr. Diaz into booking.

Officer Faroni continued on, stating that Mr. Diaz was uncooperative with him, as he and a Stratford Police Officer attempted to aid Mr. Diaz in getting up the booking ramp. As such, Officer Faroni stated, Mr. Diaz was dragged part-way up the booking ramp, to a distance of which Officer Faroni estimated to

have been only a few feet (*Page 21, Lines 941-43*). Officer Faroni added that Mr. Diaz was given several opportunities to sit and rest as they were getting him into the booking area.

Officer Faroni described the scene in booking as "congested". Officer Faroni stated that he and Mr. Diaz went to the far-left end of the booking counter because the other space was already occupied. Officer Faroni went on to state that Mr. Diaz was not being cooperative during the booking process and was belligerent.

Officer Faroni stated that Officer Thomas Lattanzio was also at the counter inventorying the property of another prisoner. Officer Faroni stated that while he was attempting to get Mr. Diaz's information, that Mr. Diaz and Officer Lattanzio were engaged in a "confrontational argument" (*Page 23, Line 1090*). Officer Faroni went on to state that he recalls Officer Lattanzio having pushed Mr. Diaz one time.

Officer Faroni stated that he continued to try and get Mr. Diaz to focus on him and get through the prisoner intake, when he heard Mr. Diaz make a spitting noise. Officer Faroni went on to state that once he heard the spitting noise, "there was like, a commotion" and before he knew it, there was an altercation between Officer Lattanzio and Mr. Diaz, resulting in Mr. Diaz bumping into Officer Faroni.

Please note that Officer Faroni had difficulty recalling if he actually saw Officer Lattanzio strike Mr. Diaz, although he knows that Officer Lattanzio did strike Mr. Diaz.

Officer Faroni stated that he did not see spit on Officer Lattanzio's uniform or face, and he did not see Officer Lattanzio attempt to clean any spit from his body. Officer Faroni went on to state that once the altercation ensued, the other Officers "rushed in" and he was told by Detention Officer May not to continue inventorying Mr. Diaz's property.

Officer Diaz continued on, stating that Mr. Diaz was on the ground at that point, and Detentions Officer May told them to just get Mr. Diaz into a cell. Officer Faroni stated that he did not assist in getting Mr. Diaz up to a cell as he left the booking area and returned to Colorado Avenue to search for the missing wheelchair.

Officer Faroni stated that when he got back to the area of 316 Colorado Avenue he inquired with people who were still on scene about the wheel chair. Officer Faroni also stated that he was informed that the wheelchair fell out of his trunk when he pulled off, and that it was returned to the family.

Officer Faroni stated that he returned to the booking report writing area and wrote an addendum report of what actions he took. Officer Faroni went on to state that he completed a Use of Force report the following day as directed by Sergeant Delgado. Officer Faroni added that the Use of Force was completed due to him having dragged Mr. Diaz part of the way up the booking ramp.

Summary of Video Evidence captured relative to the conduct of Officer Daniel Faroni

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs over the course of this investigation, there were violations of the Bridgeport Police Department's Policies and Procedures, with regard to Officer Faroni's physical treatment of a knowingly injured prisoner.

Officer Faroni acknowledged several times during his statement that he was aware of the fact that Mr. Diaz was injured (*Pages 14-5, Lines 629-31*), (*Page 17, Line 751*), (*Page 30, Line 1312*), however, Officer Faroni, absent any exigency and while aided by at least one additional Officer (from another agency), opted to drag Mr. Diaz up the booking ramp and into the sally port area.

The undersigned Sergeant has determined, based on the statement of Officer Daniel Faroni coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Daniel Faroni has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

29. Police Officer Faith Tyghter

Summary of statement given by Officer Faith Tyghter, summarized by Sergeant Jessi Pizarro, Officer Tyghter stated the following among other things:

On November 6, 2017, the undersigned Sergeant conducted a taped interview # 5969 of Officer Faith Tyghter at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. The interview was conducted by Sergeant Lawrence Lazaro and Fabio Pereira.

Officer Faith Tyghter stated she was working on the day of the incident but she as assigned to the front desk. She did not response to 316 Colorado Avenue. She stated the only time left the front desk probably for lunch or to use the bathroom. She said the only time she left the build was to go home at the end of her shift.

The undersigned Sergeant has determined Officer Faith Tyghter has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

30. Sergeant Jeffrey Long

Summary of Official Explanatory Report authored by Sergeant Jeffrey Long (Dated 10/21/7)

I was advised by Sgt. P/ Scillia involving the prisoner in cell 7 and that Internal Affairs needs to be notified. Peter Diaz D.O.B. [2 - CGS S...] was the second prisoner involved with the 10-32 at 316 Colorado Ave. Diaz was in the process of being transported to the Hospital for claimed injury. Sgt. Scillia advised me that while assisting AMR he was attempting to tighten seat belt for Stair chair when his right hand slipped from the belt and contacted the chin of Peter Diaz. See report by Sgt. Scillia attached. Diaz was then transported to [4 - HIPAA] Lt. Dickerson was then notified to assist and pull the tape for Cell 7. Lt R. Sapiro was notified.

I was also advised by Sgt. Scillia that accidental contact was made with his feet and Peter Diaz's feet as he was being transported down the ramp coming down from cell 7. Sgt. Scillia advised me he lost his step thinking that the chair was going one way but ended up going into another direction. Sgt. Scillia stated that Diaz was accusing him of kicking him.

Summary of Official Explanatory Report authored by Sergeant Jeffrey Long (Dated 10/21/7)

On 10/21/17, a male prisoner named Carmelo Mendez D.O.B. [2 - CGS Se...] was in the main holding cell. Medics were on scene and were in the process of getting him set to go to the hospital for treatment for injuries sustained at the 10-32 house party at 316 Colorado Ave. Mendez was by himself in the main holding cell next to the booking desk. P/O S. Silva was inventorying his personal belongings at approximately 2340 hours. I was at the booking desk and could hear what sounded like a person fall to the ground in the main holding cell.

At this point, AMR staff with P/O Silva entered the main holding cell and Mendez was removed and taken to [4 - HIPAA] for treatment. I then contacted and advised you of the incident as well as O.I.A. Lt. B. Dickerson. Attached to my report are additional reports of P/O S. Silva, D/O J. Figueroa and D/O S. Firpi. From my position, I was not able to see Mendez fall but was advised by P/O Silva that Mendez had fallen straight backwards after losing consciousness. Lt. Sapiro was notified.

I attempted to retrieve the camera footage to add to the packet but was advised by Lt. Dickerson that he would send someone out.

Summary of statement given by Sergeant Jeffrey Long summarized by Sergeant Fabio Pereira, Sergeant Long stated the following among other things:

On November 6, 2017, Sergeant Santiago LLanos and Sergeant Jesse Pizarro conducted a taped interview of Sergeant Jeffrey Long in the Office of Internal Affairs. *See Sergeant Long's complete statement for specific details.*

Sergeant Long stated he has been employed with the Bridgeport Police Department approximately 15 years. Sergeant Long stated that on October 21, 2017 he was assigned as the Amber Sector Sergeant. According to Sergeant Long, he was in Patrol when the call for the 10-32 (Officer needs Assistance) came out. Sergeant Long relates that he jumped in a car with Sergeant Ivan Delgado and headed over to Colorado Avenue.

Sergeant Long states that upon their arrival, there was approximately 10-15 cars in the street and that he was not able to park in front of the house. Sergeant Long indicates that as he was walking towards the house, he remembers someone being placed in a police car.

Sergeant Long conveys that he entered the house on the sidewalk side and observed a guy jumping on a motorcycle really quick and that his immediate response was to detain him.

Sergeant Long relates that he found out that this party just wanted to leave.

Sergeant Long conveyed that he then turned around and could see the driveway entrance and that there was a party, but that he cannot recall if there was music playing at the time. Sergeant Long stated that as he walked in he observed five or six people hanging off the side of the house and asked them to move, which they complied and then moved to the back of the house.

Sergeant Long noted that as he was walking to the driveway, he heard someone yell out, "Gun" and then observed a pile of officers who looked like they were struggling with somebody.

Sergeant Long stated that at that point, he felt that he was in danger because he did not know what type of party it was. Sergeant Long notes that it was dark, and it looked like the officers were trying to get someone under control and that he wasn't complying and that the officers were trying to get his hands out so that they could place him in custody. Sergeant Long indicates that he then heard Officer Hugo Stern say, "I got the gun" and it was then that he felt safe. (Long Line 353)

Sergeant Long states that at that point, there was a guy to the rear of the officers that was screaming and yelling and that he feared that at any moment he was going to jump on the pile and that is when he intervened because he did not feel comfortable turning his back on him.

Sergeant Long imparts that his part was to de-escalate that party and to get him to sit down and relax. Sergeant Long revealed that under the circumstances and with everything that was going on, he could have been probably arrested, but under the situation he did not because of the chaotic scene. Sergeant Long continues that once the party sat down he felt that he did not pose a threat anymore and he went over to the corner and discovered that the male was the DJ for the party and that he told him to pack up his belongings.

Sergeant Long states that he then walked around the porch and knocked on the door since he did know the full extent of what type of party this was, however, no one answered the door.

Sergeant Long articulates that at that point, the officers were bringing, Mr. Carmelo Mendez, to the front of the house. Sergeant Long stated that he did not observe any injuries on Mr. Mendez nor did he observe anyone strike him. Sergeant Long added that he did not observe anyone pull a baton or a taser while on scene.

Sergeant Long indicated that he remembered Sergeant Scillia being involved in the takedown of Mr. Mendez. Sergeant Long also remembered seeing Sergeant Ivan Delgado on scene, however, he does not recall if he was involved in the arrest of Mr. Mendez. Sergeant Long described the scene as being dark and that he could not make out people faces and only remembers hearing the voices of Officer Adam Szeps and Officer Hugo Stern. Sergeant Long added that he observed Lieutenant Robert Sapiro on scene as well but only at the tail end of the incident.

Sergeant Long then stated that Sergeant Stacey Lyons was also on scene and that she showed up in the end. Sergeant Long relates that he then went down the driveway to the front of the house and while standing in the street with Sergeant Lyons, he could hear a pickup truck running and flying down the street which almost hit them. Officers and police cars were still in the road and the pickup truck was flying through at a high rate of speed. Sergeant Long indicates that Officer Joseph Pires stopped the truck and made an arrest as a result of the stop because of the driver's reckless driving. Sergeant Long

explained that he had Officer Pires draw a separate file and they determined that the suspect was not part of the party.

Sergeant Long estimated that he was on scene for about 15-20 minutes and went back to Congress with Sergeant Delgado because he had been hired to work Booking as a midnight sergeant. According to Sergeant Long, he noticed that Sergeant Delgado had a fat lip and Sergeant Delgado stated that he did not know how he got hit.

Sergeant Long stated that he went in to Booking through the report writing room which he explained was full and was assigned to work from 10:30 to 0230. Sergeant Long related that when he first got there he saw Officer Thomas Lattanzio who told him that one of the suspects, Mr. Peter Diaz, who he had brought in had spit in his face. Sergeant Long stated that he advised Officer Lattanzio to draw a separate file and if he needed to go to the Hospital, however, he denied any medical attention.

Sergeant Long noted that as he walked through the door and into Booking, it was chaotic and that he immediately observed two females in Halloween costumes who appeared to be drunk. Sergeant Long also articulated that there were several males in the bull pen who were screaming and yelling. Sergeant Long noted that the medics were also on scene and that Sergeant Scillia and Sergeant Delgado were already in Booking when he got there.

Sergeant Long stated that Sergeant Scillia advised him that he was involved in an incident with Mr. Peter Diaz when he was trying to get him into a medical chair. According to Sergeant Long, Sergeant Scillia explained that he was trying to tighten his strap and his hand hit him and that while he was trying to bring him down, he made contact with his feet and that he had documented all in his report. Sergeant Long explained that he advised Sergeant Scillia to contact Lieutenant Sapiro and let him know about the incident.

Sergeant Long continued that there was an incident in Booking where Mr. Mendez and a Fernando Morales were in the bull pen and the medics were trying to get Mr. Mendez to go to the Hospital. Sergeant Long states that Mr. Morales kept telling Mr. Mendez to not go to the Hospital and that he was going to bail him out. Sergeant Long reveals that he looked at Mr. Mendez and he observed a swelling to his head which he described as half the size of a golf ball.

Sergeant Long explains that because of Mr. Morales behavior, he had him removed from the bull pen and brought up to a separate cell since he was an agitator. Sergeant Long states that he had to get processed first and had to count his cash which took 10 -15 minutes. According to Sergeant Long, Mr. Morales was aggressive and belligerent towards any officer and that he could clearly tell that he was drunk.

Sergeant Long indicated that while he was behind the desk, he heard the sound of someone falling in the cell in the immediate area. Sergeant Long stated that they got the door opened and the medics went in and he was transported to the Hospital. Note that the party that fell inside the cell was Mr. Mendez.

Sergeant Long conveyed that after about an hour, Lieutenant Sapiro came up to Booking to talk to him about what was going on and he informed him about the incident involving Mr. Mendez and Officer Lattanzio. In addition, Sergeant Long, informed Lieutenant Sapiro about the incident involving Sergeant Scillia and that he had documented everything.

Sergeant Long stated that he did not find out that Officer Lattanzio had to strike Mr. Diaz until later that night when he had gone down to patrol and saw him speaking to Lieutenant Sapiro with an Use of Force report. Sergeant Long explained that Officer Lattanzio only told him that Mr. Diaz spit in his face when

he brought him in and that he had tapped him in his face to get him away from him. Sergeant Long continued that he wrote a report involving his actions.

Sergeant Long related that Sergeant Scillia approached him and let him know what had happened and to call Internal Affairs so that Mr. Diaz does not make accusations that he kicked him and that is when he called Lieutenant Brian Dickerson to pull the tapes so that it can be documented. Sergeant Long discloses that he was able to review the video footage before, however, he could not at the time.

Sergeant Long expresses that in hindsight, he felt that under the circumstances with the 10-32 he could of probably may have gotten somebody up in Booking to cover the flow of people that were coming in. Sergeant Long stated that he was relieved in a face to face by Sergeant Joaquim Barros.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Sergeant Jeffrey Long

By reviewing this video footage, Sergeant Long is observed walking to the driveway under Channel 6 at 10:29:42 at the same time that Mr. Mendez is being taken down to the ground. Sergeant Long then walks over and stands over Officer Natalie McLaughlin and watches as the Officers struggle with Mr. Mendez. Sergeant Long does not intervene at any point.

Sergeant Long then walks to the backyard and out of camera view. Note that in his statement, Sergeant Long indicates that there was a guy to the rear of the officers that was screaming and yelling and that he feared that at any moment he was going to jump on the pile and that is when he intervened because he did not feel comfortable turning his back on him. Sergeant Long imparts that his part was to de-escalate that party and to get him to sit down and relax.

By reviewing the video footage, a male and a female can be seen behind the Officers and that they appear to be agitated; however, it is Sergeant Stacey Lyons that actually approaches these two individuals and have them sit down in their chairs and have them calm down. Sergeant Long does not interact with these individuals at any time.

Sergeant Long is out of camera view for a few minutes then emerges from the backyard, at which point Mr. Mendez has already been taken away by the Officers on scene. Sergeant Long then stays in the driveway for a few minutes and is seen speaking to the officers and then eventually walks to the front of the house.

Under Channel 7, Sergeant Long is seen in front of the house standing in the street with Sergeant Lyons at 10:38:40 when the incident with the pick-up truck occurs. Sergeant Long then leaves the scene with Sergeant Delgado at approximately 10:44:40.

Summary of Booking Video capturing the conduct of Sergeant Jeffrey Long

By reviewing the Booking footage, Sergeant Long is observed walking through the report writing area at 10:59:26 and then walks in to Booking (processing area). Sergeant Long then starts to get everyone processed and walks over to the bull pen and sees who needs medical attention.

When Mr. Mendez falls in the bullpen, Sergeant Long is assisting in the processing of Mr. Morales money, which took several minutes due to the large amount of money in his possession. Mr. Mendez is then transported to the Hospital.

Sergeant Long then stays in the processing area and make sure that all paperwork is completed for the prisoners. Sergeant Long leaves Booking at 02:48:40 hours.

The undersigned Sergeant has determined Sergeant Jeffrey Long has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

31. Police Officer Andrew Christie

Summary of the statement given by Officer Andrew Christie summarized by Sergeant Fabio Pereira, Officer Andrew Christie stated the following among other things:

On November 7, 2017, Sergeant Fabio Pereira and Sergeant Milton Johnson conducted a taped interview of Officer Andrew Christie in the Office of Internal Affairs. *See Officer Christie's complete statement for specific details.*

Officer Christie stated he has been employed with the Bridgeport Police Department approximately 1½ years. Officer Christie stated that on October 21, 2017 he was assigned to car Green 36 and believes that Sergeant Geremia was his immediate supervisor. Officer Christie went on to state that when the signal 32 was called, he was clearing the scene of a Domestic Violence call in an apartment building on 3 - Federal... and was being assisted by Green 36.

Officer Christie continued, stating that he exited the building and travel to the corner of Fairfield Avenue at Colorado Avenue, where he parked his vehicle, due to the number of cars that were already on scene.

Officer Christie described the scene upon his arrival as slightly chaotic, but it appeared as if everything was coming to an end, and the officer appeared to be safe. Officer Christie stated that he believes that he was the last car to arrive. Officer Christie went on to state that he also observed officers who were just standing around, indicating to him that the situation was coming to an end. Officer Christie continued, stating that he saw and spoke with Officer Stern, who had a prisoner in his car. (That prisoner was Mr. Carmelo Mendez). Officer Christie also stated that he recognized the prisoner in Officer Stern's car as someone that he had a previous call for service with. Officer Christie stated that he could observe that the party in Officer Stern's vehicle (Mr. Carmelo Mendez) was visibly injured and was bleeding from a cut on his forehead.

Officer Christie added that he did not proceed any closer to the house than where Officer Stern's vehicle was parked, which was near the corner of Colorado Avenue at Fairfield Avenue, as it appeared to be calming down, which was evidenced by the fact that officers were simply standing around. Officer Christie went on to state that he felt that it was safe for him to leave and took it upon himself to do so. Officer Christie continued, stating that he did not respond to booking after departing from Colorado Avenue, and that he simply went home.

The undersigned Sergeant has determined Officer Andrew Christie has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

32. Police Office Natalie McLaughlin

Summary of the statement given by Officer Natalie McLaughlin summarized by Sergeant Jessi Pizarro, Officer Natalie McLaughlin stated the following among other things:

On November 7, 2017, Sergeant Santiago LLanos and Sergeant Fabio Pereira conducted a taped interview of Officer Natalie McLaughlin in the Office of Internal Affairs. *See Officer McLaughlin's complete statement for specific details.*

Officer Natalie McLaughlin has been employed with the City of Bridgeport as a police officer for approximately 2 years. She is currently assigned to the second shift also known as "C" shift. Her vehicle assignment is Blue 11 as a solo car on the west side of the city.

On October 21, 2017, Officer Natalie McLaughlin stated she was dispatched to respond to check two areas, the intersections of State Street and Colorado Avenue and Fairfield Avenue and Colorado Avenue on a report of a noise complaint. As she arrived in the area she took a left onto Colorado Avenue from Fairfield Avenue she started hearing music coming from a house from the left side of the street. She saw lights and a speaker, so she immediately made dispatch aware of the location and gave the address, 316 Colorado Avenue.

Officer McLaughlin stated once she was at the location, her cover car B14 (Officer Bobby Hernandez) was immediately there. She stated Officer Hernandez was alone because his partner went home for the evening. She stated as she parked, she noticed individuals came out from the house and noticed that they arrived. She said the music was loud and she could see a speaker which was situated on a stand from her vehicle.

Officer Natalie McLaughlin stated the individuals that first saw them arrive must have alerted the homeowners because when they exited their patrol vehicle they were greeted by at least 15 people in the driveway area. At this point, she had not made it to the back yard yet. After the conversation began, people just came in and out from the back yard towards the front. She was immediately able to smell an odor of alcoholic beverages, and she observed drinks on the tables in the backyard.

While interacting with the individuals that came out to the driveway, they began to say several times, "Oh, don't shut the party down". People were shaking her hand as they continued to plead with her. Officer McLaughlin stated she asked several times to speak with the homeowner when finally, a woman who appeared to be intoxicated dressed up in a *Wonder Women costume* stated she was the homeowner. As she proceeded to tell the homeowner she was on a noise complaint, the homeowner said, "This is the first time she has had a party and she needed to worry about the down the street, because they have parties every weekend until 3:00-4:00 am in the morning and She doesn't understand why the police are being called". (Page 5, line 218-221)

Officer McLaughlin explained when the neighbors have their parties she has the right to call and make a complaint but today she was there to address the noise from her residence. Officer McLaughlin stated to the homeowner, that all she needed to do was turned down the music. She stated the homeowner started to give her a tough time, but she understood. She wasn't hostile she just kept repeating, "*I don't know why you are here*" and that we needed to get of her property. Officer McLaughlin stated the homeowner was more worried about the house down the street, but she kept addressing that she was there due to her loud music. Officer McLaughlin stated that during this conversation they were yelling over the loud music.

Officer Natalie McLaughlin stated she attempted to separate the homeowner but before she could do that a man dressed in a *superman costume* came forward and said to her, *"Get the fuck off my property, we are not doing anything"*. The male continued to say, *"We are not committing crimes, you don't need to be here. I'm the owner of the house"*. (Page 6, line 248-254) Officer McLaughlin stated at this point, Officer Hernandez stepped in and told the guy to calm down. He looked at officer Hernandez and told him to, *"shut the fuck up, get off his property and not to tell him what to do"*. At this point she observed the guy put his hands in Officer Hernandez's face so that is when she called for more cover.

Officer Natalie McLaughlin stated she attempted to calm the guy (Fernando Morales) down and at one point told him to relax. (Page 6, line 253-261) He said, *"There is no relaxing"*. She even placed her hand on his chest because he came so close to her and it appeared he was kissing her. He never touched her, but she requested for him to back up a little. He then told her, *"Get the fuck off me, get the fuck of my property. I am not committing any crime, you don't need to be here"*. (Page 6, line 253-261)

Officer McLaughlin stated at one point, party goers were trying to calm Mr. Morales down telling him to relax and grabbing him, this showed how aggressive he was acting. Even Wonder Women (Wanda Mendez) held him back also telling him to relax and calm down. She stated that this was what ignited the crowd. Officer McLaughlin stated at this point, she could hear the crowd yelling towards them, *"Yeah, get the fuck out of here, you don't need to be here"* as they became aggressive and hostile towards them. (Page 9, line 397-400)

Officer McLaughlin further stated that at this point, she said all I want to do is speak to the owner of the house. She stated she remembers Mr. Morales looking at Ms. Mendez and say, *"Excuse me, bitch! This is my house too"* and continue to talk to her in Spanish. (Page 10, line 421-422) She is not sure what he was saying to her, but he got aggressive toward her because he was claiming ownership. This is one of the reasons she could not separate them.

Officer Natalie McLaughlin while this was happening, she could feel someone pulling at her leg. She thought it maybe was a child, so she ignored it, but it continued for a minute. When she finally looked down it was Peter Diaz, the man in the wheel chair who appeared intoxicated. He was pulling on her pants on her gun side. She asked him what he was doing, and he said, *"I just want to talk to you, Officer."* She told him, *"Not right now, you have to back up, your too close to me"*. (Page 10, line 422-446) She remembers his broken leg hitting the back of her thighs a few times that how close he was to her. He looked at me with a confused face and said, *"He doesn't have to go anywhere, he's not committing a crime, and he can't do anything because he is in a wheel chair"*. (Page 10, line 449-451)

Officer McLaughlin stated she disregarded him, but he continued to tug on her pants at the same time she observed a few gentlemen come behind and to the side of her. She told them to get back into the crowd, but they stated they don't have to because they were not committing a crime. So, now, she grabbed her partner and began to back up just a little because she wanted to get an overview of everyone. Officer McLaughlin stated she feared that the crowd could at any moment attack them, so she wanted to make sure she could see everyone. She stated she could hear the crowd continue to yell, *"Fuck you", you can't do that, police brutality"* just all different types of stuff of that nature. (Page 12, line 530-533)

Officer McLaughlin stated that she was asked if she felt at this point was she able to leave and she stated that with Peter Diaz pulling on her pants and the crowd starting to come out from the back surrounding them, there was no space in this situation. She felt threatened even after giving several commands to the crowd to back up. She felt she couldn't leave now.

Officer Natalie McLaughlin was asked if at any point did she call for a supervisor and she stated it was very hectic she just wanted to call more cars because she figured if would have seen more cars this would

calm the situation. She did think of calling a supervisor at that moment. She was asked did anyone leave the property and she stated that she remembers seeing people pass by her saying, they are just leaving. She also saw a few kids go into the house with a few grown-ups.

Officer Natalie McLaughlin stated she remembers Officer Sherback and Officer Mazzacco arrive as cover cars. At this point, there was four of them on scene. If other officers arrived she does not recall seeing them. Officer McLaughlin stated she remembers Officer Mazzacco coming to the crowd and telling them to relax and calm down but before he could say anything else, Superman (Fernando Morales) said to him, Shut the fuck up, he'll kill him and his family. This is when Officer Mazzacco called a 10-32 (Page 16, line 679-681)

At this point the crowd became very aggressive yelling, "We don't have to listen to them", "They don't have to listen to us", They could do whatever they want, this is their property". Officer McLaughlin was asked if she called a "10-32 and she stated she did not. She was asked why not, and she explained that the crowd was aggressive, and she thought if she called for more cover the crowd would come down. She didn't think at that point it wasn't a "10-32" situation.

Officer Natalie McLaughlin was asked at what point did the first arrest happen? She stated what she recalled after the 10-32, she doesn't remember who showed up all she remembers is seeing blue. They attempted to arrest Superman (Fernando Morales). The crowd grabbed Superman and began dragging him towards the backyard. Fernando Morales was freaking out, flaring his hands everywhere. As they are dragging him back, she remembers hearing Fernando Morales say, "Where is my cell phone? Where is my shit"? (Page 18, line 780-783) She stated she didn't know what he meant by, "Where is my shit" but she didn't want him going to grab a weapon, so she went halfway into the backyard to as she watched him, but she gave him some space.

Officer Natalie McLaughlin stated when they brought Fernando Morales to the back, she remembers everyone show up and someone asked Officer Michael Mazzacco who was being arrested. As Officer Mazzacco pointed to Superman (Fernando Morales) she remembers Wonder Women (Wanda Mendez) got into Officer Mazzacco's face and told him, "You can't arrest him, he did nothing, back the fuck up" and she then shoved officer Mazzacco. (Page 19, line 829-831) After she shoved him, other officers grabbed her which she resisted the whole time by punching, kicking and telling everyone to get off her and she was then brought to the front. She didn't know what happened to her after that. Officer Natalie McLaughlin was asked if she see anyone her up or sustain any injury and she stated she did not. As far as she recalled, she saw approximately 3-4 officers grab her, but she can remember who they were.

Officer McLaughlin stated after that she remembers seeing Officer Todd Sherback, people are running, going into houses, and screaming saying, "You can't do that, Police Brutality". (Page 20, line 872-873) She stated that Officer Sherback asked her who was being arrested at which she pointed to Superman (Fernando Morales). Mr. Morales observing that his girlfriend, Wanda Mendez was being arrested, began walking towards her area. Officer Sherback told him that he was under arrest several times and attempted to grab him. Mr. Morales flung his arms and bumped into Officer Sherback and he walked by.

Officer McLaughlin stated at this point, Mr. Morales was headed in her direction and from dealing with him earlier and how uncooperative he was, she decided to pull her tazer point it at him and shouted several commands. She told him to get down, "Get the fuck down". (Page 20, Line 890) She told him to not take another step or he would be tazed. He stopped in his tracks and went down slowly, like he was thinking, but he eventually complied. He was resisting a little saying, "Get the fuck off me, I'm not resisting".

Officer McLaughlin stated Officer Sherback then placed him in handcuffs. She stated Wanda Mendez was arrested for pushing an officer and Fernando Morales was arrested for threatening an officer. Officer McLaughlin was asked if Mr., Morales was struck at any time either by her or Officer Sherback and she stated no. She was asked did she observe any injuries to Mr. Morales and she stated she did not. She did say he was definitely the aggressor who started the chaos with the crowd.

Officer Natalie McLaughlin stated after Fernando Morales was handcuff, she could hear faint screaming. She looked up and saw Officer Mark Blackwell running up the stairs of the porch. She met Officer Blackwell and Officer Johnson who were arresting an older lady (Sara Deida) next to the steps. She did not know why at the time, but the older lady was actively resisting. She kept saying, "I speak no English" several times. (Page 22, line 972) Because she was actively resisting, she took her handcuffs and placed it on her. Later she was told that the older lady threw water on Officer Blackwell while trying to diffuse the crowd.

Officer McLaughlin was asked if she struck or slapped Mrs. Deida and she stated that she did not. She was asked if the music was still on at this point and she stated that she believed it was off. She said because she could faintly remember seeing the DJ walking by her and saying, "I don't want any problems, I just want to leave. I am the DJ and I am packing up". She said it was loud because of the angry crowd screaming, "You can't do that, she's an older woman, get the fuck off her, Police Brutality, you're hitting her for no reason". (Page 23, line 1026-1032)

Officer Natalie McLaughlin stated once she placed handcuffs on Sara Deida she did not physically escort her to the car, but she did not remember who did. She was asked if she remembers who was on the porch with her and she stated she only remembers Officer Blackwell and Officer Johnson. If they were more she did not see them. She was asked if she remembers anyone blocking the steps of the porch. She stated she did not remember seeing anyone blocking the steps but was later told that Peter Diaz was blocking the steps with his wheel chair. According to what she was told, he was being aggressive and not complying with anything with the offices. She again mentioned that he (Peter Diaz) pulled on her pants for about 3-4 minutes on her gun side. She stated she keeps emphasizing her gun size because that is how close he was to her. She had to continue addressing him, so she is not surprised that he was blocking the steps.

Officer Natalie McLaughlin stated she left the porch and she saw officers telling people to leave and back up. She remembers seeing Officer Hugo Stern moving people along, stating it was time to leave. Officer Stern then placed his hands on a couple of people and guided them out. As he attempted to guide one of the gentleman's (Carmelo Mendez), he swung his arm as to prevent

Officer Stern from guiding him away. She heard Carmelo Mendez tell Officer Stern, "get the fuck off me, I don't have to go anywhere", "this is not your property". (Page 27 Line 1214-1217) She then observed officers bring him to the ground.

The officers were giving him commands to stop resisting. He was under arrest and he resisted the whole time. Officer McLaughlin stated Carmelo Mendez is a big gentleman, she saw multiple officers attempting to handcuff him, but she could not remember all of them. She stated she remembers Officer Szeps yelling, "Gun" and everyone repeating it, so she jumped in and grabbed onto his legs holding on to his calves. She then turned her head to the side because she didn't want to get hit because there was a lot of things going on.

Officer McLaughlin stated the gun was removed and given to another officer. At the same time, Carmelo Mendez kept repeating, "Get the fuck of me". (Page 28, line 1245-1227)

1 - CGS Sec. 29-28(d)

1 - CGS Sec. 29-28(d)

1 - CGS s... and he was inebriated and smelled of alcohol. Officer McLaughlin stated as she spoke with Carmelo Mendez, she observed his eyes were very glossy.

Officer McLaughlin was asked did she ever hear Carmelo Mendez say, this is my sister's property" and she stated that she did not. (Page 28, line 1254-1255) All she remembers him saying was "He's not fucking going anywhere" and to "Get the fuck off of him". She was asked if she remember anyone using, asking for or extending a baton and she stated that she did not. She couldn't go any further because there were a lot of officers attempting to restrain Carmelo Mendez. Officer McLaughlin was then asked did she ever hear Carmelo Mendez scream, "They are hitting me" and she stated she did not hear that. She was asked did she see anyone strike Carmelo Mendez with a baton and she stated she did not. The only Officer she saw strike Carmelo Mendez was Officer Szeps as he gave Carmelo Mendez commands to stop resisting and to place his hands behind his back.

Officer McLaughlin stated it took about a couple of minutes after the gun was taken to handcuff Carmelo Mendez. She couldn't remember who handcuffed him. Once she saw officers getting up, she also stood up. She then stayed in the backyard to help clear the crowd and monitor the back where there were people recording. Officer McLaughlin stated she was trying to catch her breath at this point as people were saying they lived there, (sister, cousins etc.).

Officer Mazzacco then asked some people if they could go into the house to check on the children to ensure they were okay. Officer McLaughlin stated the doors were locked and no one would let them in, but she could remember when they arrested Mrs. Deida earlier the same door was opened. Officer McLaughlin stated that after, a young couple came out and approach her in the backyard telling her that they were going to stay with the kids and they were okay.

Officer McLaughlin was asked once she left the backyard and went towards the street did she see a wheel chair in the middle of the road and she stated she did not. She was asked if she saw any supervisors on scene and she stated not that she was aware. She was asked again did she ever see any injuries on Carmelo Mendez and she stated she did not. She only saw him from behind when they were walking him away to the front.

Officer McLaughlin stated once she went towards the front, she got into her patrol vehicle and headed to patrol to write her report in booking. She stated at that point, almost everyone was gone, but there were still some patrol vehicles on scene.

Officer McLaughlin stated once in booking writing her report, along with many other officers, Sergeant Delgado who is her supervisor reminded everyone involved to make sure they complete their use of force report. She said she was exhausted because she worked a double and she asked if she could complete her use of force the next day. She was granted permission, but to make sure her incident report was completed.

Officer McLaughlin was asked while in booking did she intake any prisoners and she stated she did not. She was asked did she see any interaction in the prisoner booking area and she stated she did not. She stated she heard chaos because there were multiple people being brought in, but she didn't see anything that happened in the booking area.

The undersigned Sergeant has determined, based on the statement of Officer McLaughlin coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer McLaughlin has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

33. Police Officer Douglas Bepko

Summary of the statement given by Officer Douglas Bepko, summarized by Sergeant Fabio Pereira, Officer Bepko stated the following among other things:

This interview was conducted by Sergeant Edward Rivera and present was Sergeant Fabio Pereira and Union Steward Danny Gomez on November 7, 2017. This interview utilized audio taped log # 5973. The interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

Officer Bepko states he was assigned to car CP2 and was patrolling the East Side of the city on this night when he heard a noise complaint on 316 Colorado Avenue come in over his vehicle's Police radio. Shortly after he heard a 10-32 (Officer needs assistance) come over his radio for the same location. Officer Bepko proceeded to respond to the location.

Upon arrival at 316 Colorado Avenue, Officer Bepko states he observed multiple police cars parked on the street in front of the residence and it appeared to him as if the whole C-shift had responded and was on scene. Officer Bepko states that he then exited his vehicle, locked, and secured his doors and walked to the house, down the driveway and into the back yard where he observed multiple Officers who seemed to have the scene under control. While on scene, he observed Officer Thomas Lattanzio and Officer Todd Sherback handcuffing an older male (Mr. Alvarado). Officer Bepko relates that the party was civil and that both Officer Lattanzio and Officer Sherback were professional. Officer Bepko indicated that he observed Sergeants Paul Scillia and Sergeant Ivan Delgado on scene as well.

Officer Bepko articulates that he was only on scene for a few minutes and that, "I walked in. I looked around. And when I was leavin' I, saw Sherback. I said, I'm out of here." (Bepko 221) Officer Bepko reveals that he heard about a situation involving a firearm and that someone had a gun on them. According to Officer Bepko, he heard about the incident after it had already happened. Officer Bepko contends that he did not see any officer go hands on with anybody from the party while he was on scene. According to Officer Bepko, everybody (civilians) were videotaping the incident at the time and that he did not talk or have any contact with any of them.

Officer Bepko states that after remaining on scene briefly, Officer Bepko made his way back to his vehicle where he observed his windows down and a suspect wearing a Superman cape (Mr. Fernando Morales) sitting in his back seat. Officer Bepko states the suspect was visibly upset, however, he was being cordial to him. Officer Bepko relates that he asked Sergeant Scillia who put the suspect into his vehicle and why. Officer Bepko relates that he then recommended to Sergeant Scillia that if there were going to be multiple arrests they may want to consider calling the Booking Van. Officer Bepko reports that Sergeant Scillia then ordered him to transport the suspect to booking at 300 Congress Street. During this time, several other Officers were preparing to leave to booking also so he joined the convoy and transported his suspect to Booking without incident.

According to Officer Bepko, while on scene he did not observe anyone being assaulted, or any officers strike anyone, or any party resisting and that he only observed officers walking people to their cars. Officer Bepko added that he did not feel in any immediate danger and did not have to assist in any crowd control because there was no crowd.

Upon arrival his at Booking, Officer Bepko states he parked his vehicle and walked his prisoner inside and stated that in the processing area of Booking, there were several prisoners and Officers. Officer

Bepko states he stood his prisoner up against the wall and walked to the back of booking where he spoke to Sergeant Delgado. Officer Bepko noted that he observed that Sergeant Delgado had a fat lip and he made sure he was okay.

Officer Bepko stated that then observed a prisoner (Mr. Carmelo Mendez) with marks on his face and a swollen eye and advised Sergeant Jeffrey Long who was also on scene in Booking. Shortly after speaking to Sergeant Long, medics arrived at booking. Officer Bepko discloses that he knew Mr. Peter Diaz as one of the parties that was arrested. Officer Bepko states that he knew him for about 20 years. Officer Bepko states that in report writing area there were several Officers writing reports and talking about the incident. Officer Bepko states that he only remembers Officer Lattanzio in the report writing room typing his report.

Officer Bepko states that he was in Booking only for a few minutes and that he did not witness any altercations or disturbances. When asked if he had observed an altercation between Officer Lattanzio and another prisoner, Officer Bepko stated, "No", and that he was gone by that time. Officer Bepko later claims that he was in the back when the incident occurred. Officer Bepko explained that he had heard about someone spitting on Officer Lattanzio. Officer Bepko indicated that he did not process anyone and was not instructed to complete any reports regarding the incident.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Bepko

By reviewing the video footage provided by Attorney Berke under Channel 7, Officer Bepko is seen walking towards the backyard at 10:27:58. Officer Bepko later comes out at 10:30:49. Note that under this channel, Mr. Fernando Morales is walked out of the backyard by Officer Michael Stanitis and Officer Gerardo Ortiz.

Under Channel 6, a viewer can see Officer Bepko walk in at 10:28:17 to the backyard and stand right next to Officer Thomas Lattanzio and Officer Todd Sherback as they are handcuffing Mr. Jose Alvarado. Note that Officer Bepko is standing only a few inches away from Mr. Alvarado. Once Mr. Alvarado is handcuffed, Officer Lattanzio walks him to the front of the house and Officer Bepko walks to the rear towards the deck area.

At 10:29:36, when Mr. Carmelo Mendez is taken to the ground by Officer Adam Szepe, Officer Bepko is standing right behind him. At this point, there is an unidentified female who is standing to Officer Bepko's left videotaping the incident. Officer Bepko sees this and jumps right in front of her to prevent her from videotaping (10:29:41). The female moves away and Officer Bepko again goes in front of her. Officer Bepko then turns his back to the officers who are dealing with Mr. Mendez for a few seconds and sees that the female is still videotaping the incident. This time Officer Bepko shines his flashlight directly in the lens of the camera to block her from videotaping (10:29:58).

Sergeant Stacey Lyons then approaches the female who is with another male and starts talking to them. Officer Bepko then starts to walk away towards the front of the house, however, he stops for a few seconds (10:30:27) and looks directly at the officers who are dealing with Mr. Mendez and then walks back out to the front of the house. Channel 3 which would have captured Officer Bepko's vehicle, does not work.

Summary of Video Footage provided by Mr. Carmelo Mendez capturing the conduct of Officer Bepko

By reviewing this video footage, a viewer can see Officer Bepko standing by the fence while Officer Lattanzio is handcuffing Mr. Alvarado (02:01). Officer Bepko is again observed walking right past him before he is approached by Officer Hugo Stern (02:21).

Summary of Booking Video capturing the conduct of Officer Bepko

Officer Bepko walks into the Sally port at 10:46:28 with Mr. Fernando Morales. They both proceed to the Processing area in Booking and Mr. Morales stands next to the wall and Officer Bepko is next to him. A few seconds later, Mr. Mendez is walked in by Officer Stephen Silva and a viewer can see Officer Bepko looking at Mr. Mendez and his injuries.

Officer Bepko then starts talking to Mr. Diaz at which point he brushes Officer Lattanzio's arm causing him to push Mr. Diaz (10:48:50). Note that Officer Bepko is looking directly at Officer Lattanzio and Mr. Diaz when this occurs.

Officer Bepko then goes to the Booking desk to open the door for another prisoner that is coming in. While Officer Bepko is standing in the Booking desk, Officer Lattanzio is arguing with Mr. Diaz as he is processing Mr. Alvarado. Officer Bepko then advises Detention Officer Paul Humphrey and Detention Officer Louise May that Mr. Mendez is bleeding and that he needs the medics. Officer Bepko walks towards the rear of Booking and appears to call for the medics over his radio.

At 10:52:49 when Officer Lattanzio pushes Mr. Diaz for a third time, Officer Bepko is at the Photo area, however, he walks over closer to the gate that leads to the report writing room and looks over in the direction of the Booking desk. When Officer Lattanzio strikes Mr. Diaz, Officer Bepko is still in the photo area and not looking in the direction of Officer Lattanzio. Officer Bepko later looks in the direction of the Booking desk, however, after the incident has already happened.

Officer Bepko then stays by the photo area for several minutes where Mrs. Wanda Mendez and Mrs. Sara Deida are being processed. At 10:59:36 Officer Bepko walks in to the report writing area where there are several officers and they all start talking. Note that there is no audio in the report writing room.

While in the report writing room, Officer Bepko points to the right side of his temple as he is talking to Sergeant Paul Scillia and Officer Ryan Mullenax and has his fingers shaped in the form of a circle. (11:00:55) Officer Bepko repeats this motion again a few seconds later, but only this time taps his temple with his fingers shaped in a circle several times to the right side of his temple. Officer Lattanzio is in the report writing area and is observed typing his report. Note that Mr. Mendez is the only suspect that has injuries consistent with what Officer Bepko is describing. Officer Bepko then walks back to the photo area at 11:11 and sits down in a chair. Sergeant Delgado walks to the photo area where Officer Bepko is sitting and points to his lip. Lieutenant Sapiro is also in the photo area. (11:19:35) Officer Bepko again motions to this temple as he is talking to Officer Todd Sherback. (11:22:49)

At 11:31, Mr. Mendez is in the holding cell and falls to the ground. When this happens, Officer Bepko is over at the photo area looking through the computer with Officer Adam Szepe and Sergeant Delgado, but it appears that they do not realize what has occurred. Officer Bepko then walks over to the Booking desk and then back to the report writing area. Officer Bepko finally leaves booking at 11:42:00 through the sally port.

The undersigned Sergeant has determined, based on the statement of Officer Douglas Bepko coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Douglas Bepko has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

34. Police Officer Todd Sherback

Police Report authored by Officer Todd Sherback

On today's date I was assigned to unit UB-1 from 1600-2400hrs. At approximately 2125hrs I overheard a transmission over Channel 1 by Officer McLaughlin, unit B11, call for cover units to 316 Colorado Ave. While enroute I overheard Officer Mazzacco, unit B12, who was now on scene, call for a 10-32 (Officer needs assistance, all units respond). I arrived on scene on scene a short time later and could hear a loud commotion coming from the rear of this address. I approached the driveway and observed a large group of individuals in the rear of this address screaming and yelling at officers who were already on scene.

I walked ran down the driveway and observed a Hispanic male, later identified as (S)Morales, Fernando, yelling very loudly at Officer McLaughlin saying, "Get the fuck off my property, this is my fucking house." Officer McLaughlin immediately informed me that Morales was going to be under arrest for interfering with an officer, I acknowledged to Officer McLaughlin I had heard her and understood and began to approach Morales. As I neared Morales I loud and clearly order him to place his hands behind his back because he was under arrest. It was at this time that Morales clenched his fists, walk toward me and bumped me in an attempt to get past me while saying, "Get the fuck out of here, you ain't arresting no one." I then grabbed Morales' left arm in order to gain control of him. Morales continued to pull away from me.

It was at this time that Officer McLaughlin order Morales to get on the ground or he would be tazered. After several commands by Officer McLaughlin to get on the ground Morales complied where he was then handcuffed from behind and double locked for safety without further incident. Morales was then escorted by Officer Stanitis to a marked patrol car in the front of this address while I remained in the rear of this location for the safety of other officers who were dealing with many other unruly attendees of the party. Please refer to Officer McLaughlin's report for complete details regarding this incident.

Summary of the statement given by Officer Todd Sherback summarized by Sergeant Jessi Pizarro, Officer Sherback stated the following among other things:

On November 8, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Officer Todd Sherback in the Office of Internal Affairs. *See Officer Sherback's complete statement for specific details.*

Officer Todd Sherback has been employed with the City of Bridgeport as a police officer for just over 17 years. he is currently assigned to UB 1 to patrol University of Bridgeport. Officer Sherback stated on October 21, 2017, he heard Officer Natalie McLaughlin calling for cover at 316 Colorado Avenue for a noise complaint. He stated that he started making is way over to her location when he then heard Officer Mazzacco call on the radio a 10-32 (Officer Needs Assistance) which is not a common occurrence.

Upon arrival, he pulled onto Colorado Avenue from Fairfield Avenue. He initially overshot the house because that's where the 3-4 police cars were. He stated he pulled up behind those cars, stepped out of his vehicle and he could hear about 2-3 house down lot of yelling and screaming coming from the rear of said location because there was really no one in front of the house.

Officer Sherback stated once he turned onto the driveway of the house, he observed a huge mass of people in the back with maybe four officer's half way down the driveway and they were backing off a little, keeping their distance. The crowd was screaming and yelling saying, "You don't have the right to be on the property". "Go check the other house down the street". "They have parties until 3 o'clock in

the morning". He stated he jogged up towards the officer McLaughlin and asked her, *"What the hell is going on?"* She replied saying, "This is crazy, these people are out of control". He asked her, what did she need him to do and she pointed towards a Hispanic male with a superman Halloween costume who wasn't towards the front of the crowd but like in the back yard about 30 feet away. She stated to him that he was under arrest because he got in her face, Officer Bobby Hernandez and Officer Michael Mazzacco's face. (Page 8, line 318-320)

Officer Sherback stated he told Officer McLaughlin, let's go get him and as she pointed to him, it grabbed the Mr. Fernando Morales's attention. He stated it seemed that he heard what she was saying but he didn't know how he could because it was so loud, but they made eye contact as she was pointing at him.

Officer Sherback stated that he started heading toward the Hispanic male as Officer McLaughlin walked behind him. He stated as he approached the male, he told him he was under arrest. Mr. Fernando Morales clenched up and said, "Get the fuck out of here". "You're not arresting me". "No one is arresting me" as he still approaching him hoping that Officer McLaughlin was still walking behind him. Officer Sherback stated Mr. Fernando Morales tensed up as he came towards him and bumped him trying to go past him.

Officer Sherback stated he thought the male was going after Officer McLaughlin because the male didn't even make eye contact with him, it was like he was looking over his shoulder. He said at that point he grabbed his left arm, as he told the male, *"You're under arrest, just stop, it isn't worth it, you're under arrest"*. (Page 8 line 328) Mr. Morales stated, *"Get your fucking hands off of me, assholes, get the fuck off me"*. (Page 8 Line 339) Officer Sherback stated he told him again, to knock it off, when Officer McLaughlin comes from his right side with her Taser out. Officer McLaughlin gave him commands to get down to the ground several times. She kept repeating, *"I don't want to Tase you"*. (Page 8 line 344)

Officer Sherback stated at one point, Mr. Morales looked at her and Officer Sherback stated he told the male she is going to Tase you. This is when he eased up a little and laid down on the ground. Officer Sherback stated that he cuffed and patted him down at that point. Officer McLaughlin helped picking him up from the ground. Officer Sherback stated he started walking Mr. Morales through the crowd and there were drunks everywhere swearing and pushing each other.

Officer Sherback stated as he walked him through the crowd something happened on the deck because there was a lot of yelling. He stated a whole bunch of water, alcohol, beer came spraying down and at that point the male looked up there and tried to break free from him attempting to go up to the deck. Officer Sherback stated he pulled Mr. Morales several times and when he turned his head, he saw Officer Stanitis running down the driveway, so he asked him to give him a hand.

Officer Sherback stated he was then able to get Mr. Morales out of the crowd without further incident. He then saw Officer Pires come running up as they requested that he also helped with the male in custody. Officer Sherback stated he let go of the male as he leaned against the house and asked Officer Stanitis and Officer Pires to place the male in the police vehicle. He told Officer Stanitis and Officer Pires that he wanted to stay at the house, because there were officers still there and they were outnumbered.

Officer Sherback was asked was the music still playing when he arrived, and he stated he did not believe so. There was just a lot of swearing. He was then asked how many people he saw at the party and he stated that if he had to guess there were approximately 50-60. He stated the whole backyard was wall to wall with people. He was asked if he saw any alcoholic beverages on the table or did anyone smell like alcohol and he stated everyone there was intoxicated as far he could tell.

Officer Todd Sherback was asked did he feel he was in immediate danger and he stated just prior to engaging Mr. Morales, the way he was starting to come at him, this is one guy and if he started fighting him, he knew there was going to be problems because they were completely outnumbered. Officer Sherback was asked if he ever heard Mr. Morales say, *"I have to get my cell phone, I gotta get my shit"* and he stated he did not. He was then asked did he see any officers get assaulted and he stated that he did not.

Officer Sherback was asked if he saw anyone videotaping with cell phones and he stated he did not. He said he heard people saying, "Get your cell phones out" but he didn't see anyone. He was then asked if he heard any officers saying to get off the property and he stated he did. He stated but they were not complying.

Officer Todd Sherback was asked if he remembers another situation that was happening. He stated that 30 seconds after he handed off Mr. Morales to the other officers, he turns around and sees approximately 7-8 officers struggling with one guy. They take him to the ground and all he sees is blue uniforms on the guy. He stated he was some distance away and he couldn't place hands on the guy if he wanted to because there were several officers on him. He was asked if the individual was fighting with the officers and he stated he heard officers say several times to give up his hands. Officer Sherback stated he assumed that the guys hands were under him because he was not complying. That's what it sounds like, but he could not see anything between the darkness and the officers.

Officer Todd Sherback was asked did anything alert him further and he heard the male saying either he has a gun, or he was armed but he wasn't exactly sure because he was still dealing with Mr. Morales at that point. He then heard officers say, *"Gun, gun, gun"* and believes it was Officer Szeps that was able to get the gun off him. Officer Sherback stated that he was about 5 feet away from them and the male's head was facing towards him, facing down the driveway.

He was asked if he saw what officers were trying to subdue him and he stated, Officer Bobby Hernandez, Officer Szeps, and Detective Fortes. Detective Fortes was the one closest to him. Officer Sherback stated during the process of the male being arrested, Detective Fortes said, "Who has a baton". Officer Sherback stated Detective Fortes looked at him, but he doesn't carry an ASP. Officer Sherback stated Officer Hernandez's ASP was facing him so he bent over and stated he has one. Detective Fortes grabbed the ASP, extended it and used it as a lever, telling the guy to give up his arms. He stated he believed at that point they were able to get his arms because Detective Fortes dropped the ASP.

Officer Todd Sherback was asked did he see any officer use force on the individual other than taking him down and he stated he did not. He was then asked if he saw Detective Fortes strike the individual with the baton and he stated that he did not. He was also asked if he saw any other officer strike the individual and he stated he did not.

Officer Todd Sherback was asked if he remembers seeing any supervisors on scene and he stated that it was chaotic and there were so many officers there he couldn't tell you who they were outside of the initial officers because there was too much going on. He was then asked when Mr. Carmelo Mendez was taken to the ground did he strike him, and he stated that he did not. He was asked at any point did he bend down for any reason and he stated that he did not. He was asked about how long it took from the time they took the individual down to the time he was handcuffed, and he stated about 20 seconds. He stated that he never saw the gun on scene. Once the individual was handcuffed, he backed down the driveway towards the street.

Officer Todd Sherback was asked again at any point, did he see Sergeant Scillia. He stated he did, back towards the deck driveway area. He was also asked if he saw Sergeant Scillia near Mr. Mendez and Officer Sherback stated that he didn't recall. He was then asked if he carries a Taser and he said yes. He

stated he didn't use it or nor did he pull it out. He was asked if he dropped, pick up or hand anything to anyone and he stated he did not.

Officer Todd Sherback was asked if he made an arrest that night and he stated he handcuffed Mr. Morales but it was Officer McLaughlin arrest. He stated that he did not have any charges on anyone, it was only the information relayed to him by Officer McLaughlin. He was asked if he completed a Use of Force Form and he stated that he did not. He was asked did he conduct crowd control and he stated verbally. He said he believes he transmitted on the radio, stating to keep the cars coming to Colorado Avenue, something to that affect. He stated the only person he spoke with and had an encounter with was Mr. Morales.

Officer Todd Sherback was asked if he transported anyone to booking and he stated he transported Sara Deida. She was crying and speaking Spanish she didn't speak English and he does not speak Spanish, but he was trying to tell her to calm down. He didn't know why she was under arrest, but Officer McLaughlin said she was also under arrest.

Officer Sherback stated once he got to booking he went up the booking ramp had her step out of the car and he believes they were the first ones in booking. He stated he spoke to Detention officer May and told her that more were coming. He told Detention Officer May that Mrs. Deida was not causing any problems and he didn't know what happened and asked her to take Mrs. Deida to the back because he knew the guys were coming. Officer Sherback stated they took her towards the back where the fingerprint machine was located, and she was processed there.

Officer Sherback was asked if he observed any injuries on Mrs. Deida and he stated he did not. He was asked did she complain of any injuries or did she say that she was slapped, and he said he did not know because she did not speak any English. He was then asked was she asked if she needed medical attention and he said there was someone translating for her, but it did not appear that she needed medical attention, but she was visibly upset and crying.

Officer Sherback was asked while in booking did he see or hear any altercations. He said that he heard something going by the holding cells / desk area, but he was dealing with Mr. Deida, so he didn't know what was going on. Officer Sherback stated that they brought the other people in at the same time which he believed was a mistake. He said there were about three to four men in the front yelling and going back and forth. He said he was trying to process Mr. Deida and he could not hear anything because of the screaming.

Officer Sherback stated he went to the front, after, to place Mrs., Deida's property on the booking counter. He was asked if he spoke to any supervisors while in booking and he stated he spoke with Sergeant Delgado and Sergeant Long and he believes Sergeant Scillia too. He was asked did they direct him to do anything and he stated just to document what he did. He believes it was Sergeant Delgado that said to, *"Just write down what you did"*.

Officer Sherback was then asked while he was on scene on Colorado Avenue, if he saw a wheel chair in the middle of the road and he stated he saw one on the side walk. He was asked if he saw anyone pick up the wheel chair and he stated he did not. He stated that he left the scene when Sergeant Scillia said whoever has someone in the back of the car to get them out of here.

Officer Sherback was asked if he knew what car Fernando Morales was placed in and he stated that when he went to the front he saw Officer Stanitis and he told him Mr. Morales was in Officer Bepko's car. Officer Bepko transported him to booking.

Upon viewing the video surveillance of 316 Colorado Avenue, Officer Sherback arrives in scene and walks into the driveway just pass the gate. As other officers escort wonder women (Wanda Mendez) to the front, Officer Sherback walks towards the back where Officer McLaughlin was located, and a viewer can see Superman (Fernando Morales) getting down to the ground. At this point officer Sherback is out of the camera view. Seconds later a viewer can see Officer Sherback bend down towards Mr. Morales as Officer McLaughlin is pointing a Taser in the same direction. Mr. Morales who is now in handcuffs is assisted up by Officer Sherback.

The viewer can see Mr. Morales try to pull away and Officer Sherback points towards the front. Struggling with Mr. Morales, Officer Stanitis assist Officer Sherback in escorting him down the driveway towards the front. As he approaches the gate, Officer Sherback lets go of Mr. Morales as Officer Stanitis continues walking Mr. Morales to the front of the house.

Officer Sherback goes back inside as officer's attempt to take Mr. Camilo Mendez into Custody. He stands by the gate along the house looking towards that direction behind Detective Kenneth McKenna. Detective McKenna then moves to the side as Officer Sherback walks a few steps towards the officers dealing with Mr. Mendez. At this point he is in eye view of Detective Fortes who is one of the officers dealing with Mr. Mendez.

Officer Sherback is seen ducking down as his arm moves towards Mr. Mendez but he quickly comes back up. It is difficult to determine what Officer Sherback was attempting to so at that point. Soon after, as they began to pick Mr. Mendez from the ground, Officer Sherback turns around and walked towards the front of the house away from the back yard.

The undersigned Sergeant has determined Officer Todd Sherback has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

35. Detective Frank Delbouno

Summary of statement given by Detective Frank Delbouno summarized by Sergeant Jesse Pizarro, Detective Delbouno stated the following among other things:

On November 15, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Detective Frank Delbouno in the Office of Internal Affairs. *See Detective Delbouno's complete statement for specific details.*

Detective Delbouno has been employed with the City of Bridgeport as a police officer for approximately 22 years. Detective Delbouno stated on October 21, 2017, he responded to 316 Colorado Avenue on a 10-32 (Officer Needs Assistance). Once he arrived he parked his vehicle at the beginning of Colorado Avenue and Fairfield Avenue. He ran down the right side of the road about midblock until he could see a lot of officers. He crossed the street and started walking towards where the officers were located. He walked between two houses into a driveway where the actual party was happening.

Detective Delbouno stated he walked straight to the left side of the driveway, towards the back. He couldn't see the suspect, but it looked like they were attempting to either control him or cuff him at that point. The only thing he could see was the backs of officers around him. Detective Delbouno stated that he could hear the suspect yell, "I'm a veteran". Shortly after, it appeared they had him cuffed and officers got off him, they picked him up and escorted him down the driveway. He stated that he believed from the time he saw the officers with the suspect, it took approximately 1 minute before they stood him up. He can estimate there was more than three and less than six officers on top or around the suspect. Detective Delbouno stated the scene was very chaotic because officers were everywhere, in the driveway, out front, in the backyard.

Detective Delbouno was asked did he hear anyone say, "Does anyone have a baton or an ASP" and he stated he did not. He was then asked if he saw anyone pull out a Taser and he said he did not see anyone take one out or Taser anyone. He was asked did he see anyone strike the individual on the ground or did he strike him, and he stated that he did not. He was asked did he hear anyone say gun and he stated he did not. Did he hear the subject say, "They are kicking me" and he stated he did not hear that? He was asked when they picked the subject off the ground did he see any injuries on the individual and he stated that he did not.

Detective Delbouno was asked while on scene did he see any supervisors on scene? He stated that he recalled seeing Sergeant Scillia, Sergeant Delgado, Sergeant Lyons, and he wasn't 100 % sure but he believed he saw Sergeant Long. He also believed he saw Lieutenant Sapiro on his way out.

Detective Delbouno was asked at which point did he move away from the scene. He stated it was after the suspect was picked up and walked to the front. Detective Delbouno was asked he had to use any force on scene and he said he did not.

Detective Delbouno was asked while on scene did he see anyone use, unreasonable, unnecessary, excessive force or did he see anyone hit someone handcuffed and he stated that he did not. He was then asked did he hear Mr. Mendez say that he had a gun permit and he said he didn't think so.

Detective Delbouno was asked did he see Detective Fortes on scene and he stated that he did not. He was asked did he see Sergeant Scillia and he stated not initially but when the officers got up, Sergeant Scillia assisted standing the suspect up with other officers. Detective Delbouno stated once he got back in his DB car he returned to the Detective Bureau.

The undersigned Sergeant has determined Detective Frank Delbouno has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

36. Detective Kenneth McKenna

Summary of statement given by Detective Kenneth McKenna, summarized by Sergeant Jessi Pizarro, Detective McKenna stated the following among other things:

On November 15, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Detective Kenneth McKenna in the Office of Internal Affairs. *See Detective McKenna's complete statement for specific details.*

Officer Detective Delbouno has been employed with the City of Bridgeport as a police officer for approximately 19 years. Detective Kenneth McKenna stated he responded to 316 Colorado Avenue in response to a 10-32 (officer needs assistance) from the Detective Bureau with Detective Cholakian.

Detective McKenna stated once they arrived on scene he parked his vehicle on Colorado Avenue and Fairfield Avenue which was approximately 5 buildings down from the said location.

Detective McKenna stated he observed a good amount of police vehicle on scene. He stated he observed officers trying to get someone into a police vehicle, but did not remember which officer.

Detective McKenna stated once he started walking down the driveway of said location, he believes they were bringing another male out, so he stayed and watched. He said he walked as far as the driveway meets the house, maybe a couple of feet past that, but never made it to the backyard.

Detective McKenna stated he heard someone yell, "Gun". He turned and approximately 5 feet away the officers are yelling "Gun" as officers struggled with a guy. About 30 seconds later they walked the male out. Detective McKenna stated he saw the commotion but didn't know who was involved. He stated that he is not sure how many officers, but it was a bunch.

Detective McKenna was asked besides them yelling "Gun" did he hear anyone yelling anything besides "Gun" and he stated he also heard, "Stop Resisting, release your hands". (Page 6, line 252) He was asked if he saw any officer strike the individual and he stated he did not. He was then asked he saw someone with an ASP and he state he heard someone say, "Give me an ASP". He said it was Detective Fortes. (Page 6, line 264) He stated he heard Detective Fortes say, "Give me an ASP because I want to crank his hands out". (Page 7, line 268) Detective McKenna stated he heard someone get one out, but he could not see what they did with it. Detective McKenna was asked did he see anyone hit the individual while he was handcuffed, and he stated that he did not. During this incident Detective Kenneth McKenna stated he heard people yelling obscenities at the police, such as, "Fuck you guys", "Your assholes" all sorts of stuff. (Page 9, line 395-399) Detective Kenneth McKenna stated he then got into his car and went back to the Detective Bureau.

Upon viewing the video surveillance footage of 316 Colorado Avenue, Detective McKenna entered the driveway of 316 Colorado Avenue just passed the gate where Mr. Mendez was taken down. He approaches the officers on the ground arresting Mr. Mendez and it appears that Detective McKenna lifts his left hand up and swipes his arm towards the left as it is in the air, but it is not clear the reason because the angle was of the camera was obstructed by edge of the house. He then watched the officers for a few seconds turns around away from the pile, quickly turning back as he continues to look towards the officers and Mr. Mendez while behind officer Sherback. He again turns away walks a short distance where he stands near the gate again facing the pile as the officer are still trying to restrain Mr. Mendez. He then moves to the right of the gate towards the fence as he continues looking towards the same area until Mr. Mendez was stood up and walked out of the yard towards the front of the house escorted by officers. According to Detective McKenna's sworn statement he stated that he was not able to see

anything, but it is clear as seen in the video footage that several times during the arrest of Mr. Mendez as officer attempted to take him into custody that he had a clear view of the situation.

The undersigned Sergeant has determined Detective Kenneth McKenna has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

37. Officer Michael Mazzacco

Police Report authored by Officer Michael Mazzacco. (Verbatim)

I P/O M. Mazzacco while patrolling, overheard B-11 P/O N. McLaughlin along with B14 P/O B. Hernandez get dispatched to the above address for a loud party outdoors /noise complaint. As I was driving my marked patrol over to that location to assist, I heard P/O N. McLaughlin ask CAD dispatch (via radio transmission) for more officers to respond and assist. See P/O N. McLaughlin report for further information. Upon arrival I heard a crowd of people shouting from the back of the residence " get the fuck out of my property I will fuck you up". As I entered the back yard of the property I observed a large group of people beginning to surround officers B-11 P/O N. McLaughlin along with B14 P/O B. Hernandez. I immediately observed suspect Fernando Morales acting belligerent shouting profanities threatening to assault officer B-11 P/O N. McLaughlin along with B14 P/O B. Hernandez and he was being restrained by suspect Wanda Mendez.

I observed suspect Peter Diaz (whom was in a wheelchair) tugging on officer N. McLaughlin uniform, moving his hand toward her firearm. I advised all the parties to calm down and to stop shouting profanities or they will be arrested. I instructed Peter Diaz to move away from officers and to keep his hands off of officers. Peter Diaz began to act belligerent, shouting profanities calling R/O " A Bitch Ass Nigga" and stated " I will Fuck You Up, You ain't shit" you can't do shit I'm in a wheel chair and slapped R/O's hand. As R/O was speaking to Peter Diaz, he stood up out of his wheelchair and he stated, "what the fuck are you going to do". The crowd became more volatile / aggressive shouting profanities and I informed Peter Diaz that he is under arrest and reached for his wrist. Peter Diaz slapped R/O's hand away, Wanda Mendez began to push R/O and the crowd of people began to walk forward pushing officers backward.

At that point I accessed my radio and called for a 1032 (all officers respond, officers need assistance). The crowd continued to shout profanities, threatening to assault officers and shouting "Get The Fuck Off of the Property, it's private property, you have no right being here". R/O observed Fernando Morales attempting to make his way through the crowd shouting he will fuck us up and provoking other members of the party to resist officers' instructions.

Moments later assisting officers arrived on scene and I informed them of the parties that are under arrest. As R/O was instructing assisting officers of the parties responsible, Wanda Mendez was pushing R/O in an attempt to prevent me from making arrests. I informed her that she was under arrest and an assisting officer placed her in handcuffs and escorted her out of the area. I then advised Peter Diaz he was under arrest and he too was escorted out of the area and to a marked patrol car. As I was visually scanning the area for agonists causing disruptions, I observed Officer N. McLaughlin walk in the direction Fernando Morales whom was still shouting profanities, and threatening officers. I saw aggressive crowd members begin to surround P/O N. McLaughlin and Fernando Morales begin to clench his fists. I approached with my tazer (electronic control device) withdrawn from its holster, instructed crowd members to back away from officers, an assisting officer instructed Fernando Morales to get to the ground and placed him in handcuffs.

I then observed officer M. Blackwell on the back porch attempting to take suspect Sara Deida into custody, people shouting and observed the crowd began to gravitate to that area. With my tazer still withdrawn, I ran to the back porch, instructed people to disburse and step away from officers.

After the porch began to clear, I canvassed the back yard once again and looked for officers who may need assistance. Once the back yard was cleared, I walked to the front of the residence and made contact with Officer D. Faroni to inform him of Peter Diaz's charges.

Upon approach R/O observed Officer D. Faroni along with Officer M. Blackwell standing outside of the marked patrol car with Peter Diaz (whom was sitting in his wheelchair). I began to inform Officer D. Faroni of the charges and Peter Diaz once again stated " You A Bitch Ass Nigga", You a Pussy, Faggot and stated " I will Fuck You Up, You ain't shit" you can't do shit I'm not going to jail tell him Blackwell" After informing Officer D. Faroni of the charges Peter Diaz began to challenge R/O stating "come and see me without the uniform you ain't shit", I will fuck up you and your family" I'm going to fuck your wife, your kids and fuck them up", " I beat a sixty year case, I have bond money and ain't scared to go back to jail pussy", "I will be seeing you on the street soon". Peter Diaz stood up out of his wheel chair, walked to the open back door of the marked police car and sat inside of the car. Peter Diaz continued to act belligerent / shout profanities at R/O and I walked away back to the scene. Note: See B-11 P/O N. McLaughlin report for charges and assisting officers' addendums for further information.

I informed blue Sector Supervisor Sgt. I. Delgado of the incident along with the threats made by suspect Peter Diaz.

Summary of statement given by Officer Michael Mazzacco, summarized by Sergeant Jessi Pizarro statement he stated the following among other things:

On November 20, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Officer Michael Mazzacco in the Office of Internal Affairs. *See Officer Mazzacco's complete statement for specific details.*

Officer Mazzacco has been employed with the City of Bridgeport as a police officer for approximately 5 1/2 years. Officer Mazzacco stated he responded to 316 Colorado Avenue in response to Blue 11 Officer McLaughlin asking for more units to respond for cover at a noise complaint of a large party going on outdoors

This is the summary of the statement given by Officer Michael Mazzacco. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant John Burke and Union Steward Bruno Rodrigues on November 20, 2017. This interview utilized audio taped log # 5980. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Officer Mazzacco stated that upon his arrival he entered the property through the driveway and did not recall hearing loud music. Officer Mazzacco stated that he remembers a party shouting to, "get the fuck off my property, get out of here, it's private property you don't belong here", and then another party shout, "I'll fuck you up." (Mazzacco 200-202) Officer Mazzacco notes that he was not aware who the profanities were directed at.

Officer Mazzacco states that he continued down the driveway where he saw a large crowd of people starting to surround Officer Natalie McLaughlin and Officer Bobby Hernandez. Officer Mazzacco relates that he walked over to the Officers and observed a man in a wheelchair, Mr. Peter Diaz. Officer Mazzacco articulates that in front of Officer McLaughlin he observed a man in a Superman uniform, Mr. Fernando Morales, being restrained by a woman in a Wonder woman costume, Mrs. Wanda Morales, and that he was shouting profanities at Officers and threatening to assault them. According to Mazzacco, Mr. Morales was saying, "I'll fuck you up, get the fuck off my property, get the fuck out of here." (Mazzacco 223-224)

Officer Mazzacco notes that other members of the crowd were also shouting profanities and that they started to get excited and started joining in at shouting at them. Officer Mazzacco continues that he then observed Mr. Diaz, who was in a wheelchair, tugging on Officer McLaughlin's pants and his hands moving towards her firearm. Officer Mazzacco exclaims that he instructed him to not touch the Officer and to calm down and relax and as he was giving him instructions, Mr. Diaz stood up out of his wheelchair and was being non-compliant. Officer Mazzacco relates that Mr. Diaz started to shout profanities at him and tell him that he was not going to do anything and told him to, "Get the fuck out of here." (Mazzacco 242)

Officer Mazzacco expresses that the situation was escalating rapidly and there were other crowd members engaging. Officer Mazzacco notes that he was scanning the crowd to see who was going to come at them and that he was also looking in the direction of Mr. Morales who kept on trying to fight his way over the crowd and make his way towards the Officers.

Officer Mazzacco reveals that it was at this point that he told Mr. Diaz that he was going to place him under arrest. Officer Mazzacco states that he went to grab Mr. Diaz's wrist and he slapped his hand away and said, "You ain't gonna do shit, I'm not goin' anywhere." (Mazzacco 277-278)

Officer Mazzacco states that at that point other crowd members started to push their way forward and push them back. Officer Mazzacco continues that Mrs. Wanda Morales ended up approaching him and she was pushing him and telling him to leave. Officer Mazzacco states that things were escalating rapidly, and he ended up calling a 10-32 (Officer needs assistance).

Officer Mazzacco explains that given the aggression of the crowd and by not being able to make those arrests without the situation getting further out of control he decided that would be the best time to call for assistance. Officer Mazzacco indicates that he felt threatened because the crowd started to move in.

Officer Mazzacco declares that Mr. Diaz was being placed under arrest because he threatened to assault him and because he was upsetting the rest of the crowd and not because he had called yelled profanities at him. Officer Mazzacco explained that the situation escalated so rapidly, and the crowd was so aggressive that there was no time to pull anyone aside to speak to them.

Officer Mazzacco articulates that when Officers started to arrive on scene, he instructed the assisting Officers that Mr. Diaz was being placed under arrest and that Mrs. Wanda Morales continuously wouldn't let him get past her. Officer Mazzacco states that Ms. Morales kept pushing him and she ended up getting arrested and she then was escorted out of the area to a marked patrol car. Officer Mazzacco indicated that he arrested Mrs. Morales for pushing him.

Officer Mazzacco relates that after Mr. Diaz gets arrested, he is wheeled out of the area towards a marked patrol car. Officer Mazzacco points out that he then observed that members of the crowd just started scattering and everybody just started leaving. Officer Mazzacco imparts that he observed Officer McLaughlin making her way through the crowd and she was talking to Mr. Morales and another group of people started surrounding Officer McLaughlin.

Officer Mazzacco notes that he then withdrew his Taser and had it in a low ready position and that he then instructed Mr. Morales to get away from the Officer and then at some point, Mr. Morales was arrested and taken out of the area.

Officer Mazzacco articulates that after Mr. Morales was out of the area, he recalled hearing the crowd start to get excited and he looked up over on the porch and saw Officer Mark Blackwell try to affect an arrest. Officer Mazzacco explains that he saw Officer McLaughlin run towards the back porch and people starting to gather towards the Officers and he again started to tell people to back away. Officer

Mazzacco exclaims that the woman was arrested. Officer Mazzacco notes that he had his Taser unholstered, however, he did not use that night.

Officer Mazzacco conveyed that he then walked up towards the front of the residence and observed Mr. Diaz in his wheelchair talking to Officer Daniel Faroni and Officer Mark Blackwell. Officer Mazzacco discloses that he told Officer Faroni what the charges were going to be at which point, Mr. Diaz began to shout profanities at him and threatened to assault his wife and daughter. Officer Mazzacco adds that Mr. Diaz was also trying to engage him to fight by telling him to take off his badge and his uniform and that the next time he saw him in the street, he was going to assault him.

In his incident report, Officer Mazzacco articulated that Mr. Diaz stated, "come and see me without the uniform you ain't shit, I will fuck up you and your family, I'm going to fuck your wife, your kids and fuck them up. I beat a sixty-year case, I have Bond money and ain't scared to go back to jail pussy, I'll be seeing you in the street soon." (Incident report Page 2, line 40-43) Officer Mazzacco indicates that Mr. Diaz stood up out of his wheelchair and hopped inside the police car. Officer Mazzacco states that Mr. Diaz continued to shout things at him and that he just walked away from the area.

Officer Mazzacco reveals that he walked back to the yard a second time and by that time the majority of the parties were dispersed. Officer Mazzacco stated that he did not see an incident involving Mr. Carmelo Mendez and did not observe any Officers get assaulted or any civilians get assaulted.

Officer Mazzacco explains that he only instructed officers to arrest Mr. Diaz and Mrs. Mendez while at Colorado Avenue. Officer Mazzacco relates that after he left Colorado Avenue he went to Congress Street and walked up to Booking to process his arrests. According to Officer Mazzacco, he stayed in the report writing room.

Summary of Video Footage provided by Mr. Carmelo Mendez capturing the conduct of Officer Michael Mazzacco

A review of the video footage provided by Mr. Carmelo Mendez which was recorded from his cell phone shows Officer Mazzacco telling Mr. Mendez that he could record. Officer Mazzacco is seen instructing Officers that Mr. Diaz is going too and says, "he just wants to slap my hands away, he is going too." Note that Officer Mazzacco is at this point holding the Taser in his hands and it can be clearly seen that it is turned on.

Seconds later, the video footage shows Officers Todd Sherback and Officer Natalie McLaughlin attempting to arrest Mr. Morales. Mr. Morales is instructed by Officer McLaughlin to get on the ground while she is pointing her Taser at him and Mr. Morales complies.

While the Officers are placing Mr. Morales under arrest, Officer Mazzacco walks over to Mr. Diaz (36 seconds in to the video) who is sitting in his chair and he tells him, "I am a bitch ass nigga too right, you are going too, that's right." Officer Mazzacco continues, "how many times does the Police have to tell you something" at which time a viewer can hear someone say, "Fuck you man, fucking white mother fucker." In this particular video footage, a viewer cannot determine who actually says this, however, by reviewing the video footage which was provided by Attorney Robert Berke, the viewer can see Mr. Morales yell these profanities towards Officer Todd Sherback. We can't see from the video footage when Mr. Diaz is escorted out at this point.

Officer Mazzacco is then seen standing over Mr. Morales while he is still on the ground and then a loud commotion is heard over in the porch area (1:05 into the video). Officer McLaughlin runs over to the porch area as well as Officer Mazzacco and other Officers. After a few seconds, Officer Mazzacco is

observed walking down the steps from the porch while still holding his Taser and tells Mr. Mendez that he could record but that he has to get back.

Officer Mazzacco is then heard on the video yelling, "Everybody is going, everybody, everybody. You don't want to comply when we tell you something, everybody is going" and then continues, "Party is over, shut it down."

I have also reviewed the video footage from the security cameras from 316 Colorado Avenue which was provided to the Office of Internal Affairs by Attorney Berke. Note that this video does not have audio. By reviewing Channel 6 the viewer can see Officer Mazzacco at approximately 10:25 hours calling out on the radio. It is at this time that it appears that Officer Mazzacco calls out the 10-32. (Officer needs assistance) At this point, Officer Mazzacco takes his handcuff out and tries to grab Mr. Diaz's left wrist in order to arrest, but he is pushed away by Mrs. Morales.

Mr. Diaz pulls his arms away from Officer Mazzacco and then sits down. Officer Mazzacco again tries to grab Mr. Diaz's wrist, however, Mr. Diaz slaps his hands away. Mr. Diaz then moves away from Officer Mazzacco in his wheelchair and the viewer can see Officer Mazzacco attempt to move closer to him. As Officer Mazzacco tries to walk towards closer to the Mr. Diaz, Mrs. Morales blocks his path. As more assisting Officers walk in Officer Mazzacco again walks towards Mr. Diaz and again Mrs. Morales blocks his path. ***This time, Officer Mazzacco grabs her arm and pulls her away towards the assisting Officers who then take Mrs. Morales away.***

In this camera view and at approximately 10:26:20, the viewer can observe Officer Mazzacco standing by Mr. Morales who is in the ground and as Officer Daniel Faroni is taking away Mr. Diaz with Officer Mark Blackwell standing next to him, the viewer can see some type of liquid being thrown towards the Officer. It is at this point, that all the Officers run up to the deck area including Officer Mazzacco.

After this incident, Officer Mazzacco is in the backyard when Officer Joseph Cruz walks up to him and points to an individual, Mr. Davila, and it appears he is asking Officer Mazzacco a question. Officer Mazzacco appears to nod yes and Mr. Davila is taken away.

Under Channel 4 which shows the front of the house, the viewer can observe Officer Mazzacco walk out of the backyard at approximately 10:29:34 while at the same time that the incident involving Mr. Mendez occurred. Officer Mazzacco walks back to the backyard at approximately 10:30:16 and walks straight to the rear of the yard. By this time, Mr. Mendez is already handcuffed and a few seconds later he is stood up and walked out to the front of the house. In the video footage Officer Mazzacco is not observed looking in the direction of Mr. Mendez.

Video Footage which was recovered by the DIVRT Team (Detective Art Calvao and Detective Jason Ferri) from 300 Colorado Avenue shows Officer Mazzacco standing next to Officer Faroni and Officer Blackwell as they are placing Mr. Diaz inside the patrol vehicle. (10:48:35) Note that there is no audio in this video and it also 15 minutes ahead. Mr. Peter Diaz is then seen standing up and getting inside the vehicle. Officer Mazzacco then walks away once Mr. Diaz is inside the vehicle.

Summary of Booking Video Footage

Officer Mazzacco walks in to Booking through the Report Writing Area at 11:17:56. During his time in Booking, he spends most of his time in the report writing room and does enter the Booking processing area when any significant incident happens. Officer Mazzacco leaves Booking at 03:10:31 on October 22, 2017.

The undersigned Sergeant has determined, based on the statement of Officer Michael Mazzacco coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Michael Mazzacco has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

38. Police Officer Mark Belinkie

Summary of statement given by Sergeant Mark Belinkie, summarized by Sergeant Lawrence Lazaro
Sergeant Belinkie he stated the following among other things:

This is the summary of the statement given by Sergeant Mark Belinkie. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant John Burke and Officer Bruno Rodrigues on 11/20/17. This interview utilized audio taped log # 5981. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

Sergeant Belinkie states that on the above date he was assigned to Booking on overtime as the Booking Sergeant. He did not hear the 10-32 (Officer needs assistance) call come in. At the time, he was in the rear of Booking doing other paperwork and did not have his radio turned on. As Sergeant Belinkie made his way to the front of Booking he heard on the radio that people were being transported to Booking. He walked to the front door to instruct a Stratford Police Officer to stand by because many Officers were en route to Booking and there was currently a great deal of confusion in the Booking area. By this time Sergeant Belinkie had not been relieved yet however, he believed the sergeant assigned to relieve him was in the field dealing with the 316 Colorado Avenue situation and would arrive shortly because it appeared that the incident was over, and Officers were beginning to arrive with their prisoners.

While at the front door of Booking speaking with the Stratford Police Officer, Sergeant Belinkie observed a Detention Officer, Officer Humphreys walking towards him headed outside. When Sergeant Belinkie questioned him as to where he was going he replied, an Officer needs help on the Booking ramp with a guy. Sergeant Belinkie then heard shouting and screaming on the Booking ramp coming from a prisoner that Officers were struggling with to bring into booking. The prisoner was on the ground and was fighting Officers because he was refusing to get out of the vehicle. This is when Sergeant Belinkie observed that the prisoner was now being dragged up the Booking ramp by his shirt towards the door. Sergeant Belinkie stopped the Officer and questioned him as to why he was dragging the prisoner. The Officer responded that the prisoner refused to get out of the car. Sergeant Belinkie then instructed the Officer to stand the prisoner up at which time the prisoner, who stated he had pins in his leg, hopped into Booking on one leg. Sergeant Belinkie informed the Officer that a written report would be required explaining the dragging incident.

Sergeant Belinkie then remained outside for a few more minutes and informed Officers not to let anyone else into Booking for the moment due to the number of prisoners not yet in holding cells. He then observed Sergeant Scillia's vehicle arrive on the booking ramp apparently with a prisoner waiting to go into booking. Sergeant Belinkie then left booking assuming there was another sergeant on scene to take over the situation. Sergeant Belinkie never actually saw Sergeant Scillia nor was he properly relieved by him. Sergeant Belinkie states he left because he knew there was now a sergeant on scene and he also assumed the actual Booking Sergeant was either in Booking or on his way up. Sergeant Belinkie states that a "face to face" relief is not commonly done amongst the Booking Sergeants. He believes he left Booking at approximately 2300 hours, thirty minutes over the time he was scheduled to complete his shift.

Sergeant Belinkie observed Officers using force to extract a prisoner from a Police vehicle and then drag him up the booking ramp. He then allowed the obviously injured prisoner hop up the stairs into booking on one leg. Sergeant Belinkie did not obtain any reports from the Officers regarding their actions nor did he complete any reports or notify the on-duty Lieutenant of the incident. Furthermore, he took no action to see that the prisoner received medical attention.

Sergeant Belinkie then proceeded to exit Booking without being properly relieved by the sergeant assigned to Booking for the next shift or any other supervisor willing to monitor the Booking area in his absence fully aware that a 10-32 (Officer Needs Assistance) had just occurred and that Officers from that scene were transporting prisoners to Booking. At the time of Sergeant Belinkie's departure there were prisoners in Booking to include at least one in need of medical attention.

At minimal, Sergeant Belinkie should have properly addressed the Use of Force issue and offered medical assistance regarding the prisoner dragging incident he witnessed, as well as request for a relief from the on-duty Lieutenant and ensured his relief had arrived and was present in Booking prior to leaving the Booking area.

The undersigned Sergeant has determined, based on the statement of Sergeant Mark Belinkie coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Sergeant Mark Belinkie has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

39. Police Officer Stravos Mirtsopoulos

Police Report authored by Officer Stravos Mirtsopoulos (Verbatim)

I, P/O Mirtsopoulos, responded as a cover unit for P/O N. McLaughlin, who requested for more cover at 316 Colorado Ave, Bridgeport, CT, on a noise complaint incident. I arrived on scene to a very large and hostile crowd that was yelling and screaming for police units already on scene to vacate their property they considered to be private. They even attempted to close the solid white gate while we were standing in the driveway to create separation from us. A female dressed in a Wonder Woman's costume, who was later identified as, Wanda Mendez, repeatedly told myself and other officers to leave the property as they were conducting a birthday party for their twelve-year-old daughter. Due to the noise level and complete lack of cooperation by all individuals involved with the party, units responding were told to keep coming as an officer needs assistance ten code came out over Channel 1 in order to bring the situation under control and the party to an end.

Upon notification the party was over, numerous individuals, including Wanda Mendez became irate and would not listen with any type of reason. Officers began placing people under arrest in order in an attempt to gain some level of control. I took hold of Wanda by the arm and attempted to escort away from the crowd, while at the same time, advised her she was under arrest. She was not compliant, and actively resisted by pulling back, telling me this was her property and was not going anywhere. Wanda briefly broke away from my hold, but I was able to quickly regain control. With another officer, we were able to place the handcuffs (double-locked) on her. She was then escorted into a marked police vehicle and transported to booking in order to be processed. Please refer to P/O N. McLaughlin's incident report for any further details and criminal charges for Wanda Mendez.

After securing Wanda inside a police vehicle, I returned to the scene and continued to assist units with crowd control. As I made my way up the driveway, I observed a male suspect, later identified as Ramon Davila, face down on the ground as officers attempted to place him in handcuffs. While face down, Davila also had his right arm underneath him and would not comply with commands to show his hand as he was actively resisting. Officers had to physically remove his right hand/arm from the front of his body and into handcuffs (double-locked). During a search incidental to arrest, a blue, black and silver box cutter knife was in Davila's right pocket. The box cutter knife was removed, collected and turned in as evidence under property receipt number 17M-1390. I then escorted Davila into my marked police vehicle and transported him to booking in order to be processed. Please refer to P/O N. McLaughlin's incident report for any further details and criminal charges for Ramon Davila.

Summary of statement given by Officer Stravos Mirtsopoulos, summarized by Sergeant Lawrence Lazaro, Officer Mirtsopoulos stated the following among other things:

On November 21, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Officer Stavros Mirtsopoulos in the Office of Internal Affairs. *See Officer Mirtsopoulos' complete statement for specific details.*

Officer Mirtsopoulos has been employed with the City of Bridgeport as a police officer for approximately 5 years. Officer Mirtsopoulos stated he was assigned to car Blue 13 (West side) C shift on the night of October 21, 2017. He responded to a call for additional cover to the location. Officer Mirtsopoulos stated upon his arrival, there were several Police units already on scene. Officer Mirtsopoulos stated was unsure of the exact location of the residence so he followed the loud noise and shouting that he could hear coming from 316 Colorado Avenue.

Officer Mirtsopoulos stated as he located the residence he proceeded to make his way down the driveway to the rear of the residence where he located other Officers amidst an overwhelming large crowd that was shouting and cursing at the Officers and becoming increasingly hostile. As he scanned the crowd he observed a person dressed as Superman who was being very disruptive, and a woman dressed as Wonder Woman who was also being disruptive and pushed Officer Mazzacco.

Officer Mirtsopoulos stated after witnessing this Officer Mirtsopoulos immediately walked over to the woman later identified as Wanda Mendez and attempted to affect an arrest as Mendez struggled with him and resisted being handcuffed. Officer Mirtsopoulos stated Mendez broke free of him, throwing her arms in the air in attempts to break his hold. Eventually he was able to handcuff her and escort her to the Police vehicle.

Officer Mirtsopoulos stated units were continuing to arrive on scene so Officer Mirtsopoulos placed Mendez in the first available vehicle and headed back towards the driveway. As he reached the driveway he observed another individual on the ground struggling with Officers with one of his hands tucked underneath his body. Officers were attempting to free the hand from under his body and gain compliance to safely handcuff the individual.

Officer Mirtsopoulos stated he walked over to the Officers and assisted them in getting control of the individual and ultimately getting him handcuffed. He then proceeded to roll him over and do a pat down which revealed a pocket knife in his right front pocket. The individual was then stood up and escorted to Officer Mirtsopoulos' vehicle.

Officer Mirtsopoulos stated while walking to the vehicle he recalls hearing someone yell "gun" however he was still securing his suspect at the time preventing him from responding. Once his suspect was secured in his vehicle Officer Mirtsopoulos was ordered to transport his suspect to Booking by Sergeant Scillia who was on the street clearing out some of the traffic. Officer Mirtsopoulos stated at this time, he notified Dispatch of the transport and left the scene with his prisoner.

Officer Mirtsopoulos stated upon arrival at booking he parked his vehicle on the bottom of the ramp where he was told to wait with his prisoner by what he believed to be a Supervisor at the time. After quite a bit of time passed he was instructed to escort his prisoner into booking. As he entered booking he observed several Officers already processing in front of him therefore forcing him to wait further for them to complete their paperwork.

Officer Mirtsopoulos stated while waiting he observed there were a lot of people in booking yelling and cursing at Officers. He stated the booking scene was very chaotic like the Colorado scene. Officer Mirtsopoulos stated the most disruptive individual in booking was the individual dressed as Superman, later identified as Fernando Morales. While processing his suspect Officer Mirtsopoulos stated he heard a commotion in the front of booking while he walked towards the rear of booking however he could not see over the counter to observe what was happening.

Officer Mirtsopoulos stated as he walked back towards the front it appeared that suspect Fernando and Officer Lattanzio were being separated. Officer Mirtsopoulos states that there were several altercations in booking however he did not observe any of them.

The undersigned Sergeant has determined Officer Stravos Mirtsopoulos has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

40. Police Officer Michael Cavaliere

Summary of statement given by Officer Michael Cavaliere, summarized by Sergeant Lawrence Lazaro, Officer Cavaliere stated the following among other things:

On November 21, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Officer Michael Cavaliere in the Office of Internal Affairs. *See Officer Cavaliere's complete statement for specific details.*

Officer Cavaliere has been employed with the City of Bridgeport as a police officer since February 2014. Officer Cavaliere stated on the night of October 21, 2017 he was assigned to car Green 35 (East side) C shift. Officer Cavaliere stated he was on Green 38's post on a stolen vehicle arrest and had a suspect in his vehicle at the time of the 10-32 call and therefore was unable to respond to 316 Colorado Avenue. He transported his suspect to the Stratford Police Department and at no time went to booking at 300 Congress Street.

The undersigned Sergeant has determined Officer Michael Cavaliere has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

41. Police Officer Ryan Mullenax

Summary of statement given by Officer Ryan Mullenax, summarized by Sergeant Lawrence Lazaro, Officer Ryan Mullenax stated the following among other things:

On November 21, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Officer Ryan Mullenax in the Office of Internal Affairs. *See Officer Mullenax's complete statement for specific details.*

Officer Mullenax stated he has been employed with the City of Bridgeport as a police officer for approximately 6 years. Officer Mullenax stated Officer Mullenax was on patrol with his K-9 partner Zeus when he heard a 10-32 (Officer needs assistance) come in over the radio and proceeded to respond to 316 Colorado Avenue.

Officer Mullenax stated upon arrival on scene he retrieved his K-9 and exited his vehicle. He observed an Officer escorting a belligerent costumed female from the driveway toward the street to a patrol car. It appeared most of the commotion was coming from the rear of the house so Officer Mullenax headed down the driveway towards the rear yard.

Officer Mullenax stated midway down the driveway he observed what appeared to be a chaotic situation with people yelling and swearing while Officers were trying to gain control of the situation. Officer Mullenax stated he then positioned himself and his K-9 approximately midway down the driveway which allowed him to observe the rear yard as well as the street. From there he made his way to the rear of the driveway where he observed Officer Faroni get a clear liquid thrown on him by an unknown female in the area of the back deck.

Officer Mullenax stated shortly after the liquid incident, Officer Mullenax observed a male being arrested. During the arrest, he states he heard someone yell "Gun". Officer Mullenax stated several Officers converged onto the individual on the ground. Officer Mullenax stated he held his position with his K-9 and did not converge with other Officers because his function there was basically presence in hopes that he and his K-9 on scene would calm the crowd.

Officer Mullenax stated while holding his position in the driveway he could look over his shoulder and see K-9 Officer Rodriguez holding his position in the street in front of the house. This is because two K-9s are difficult to control when they are near each other in a small space.

Officer Mullenax stated he held his position in the driveway until he felt there was no longer a need for a K-9 in the immediate area. He then walked back up the driveway to the street and secured his K-9 inside his vehicle and stood next to his vehicle as he customarily does on these types of scenes.

Shortly after this Officer Mullenax and his K-9 departed from the scene and went to a nearby school to break his dog, rehydrate him and allow him to run a bit which he often does following these types of calls. He then made his way to the report writing room in the rear of booking where Officer Mullenax did not observe anything unusual.

The undersigned Sergeant has determined Officer Ryan Mullenax has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

42. Officer Michael Stanitis

Summary of Police Report authored by Officer Pires documenting the conduct of Officer Michael Stanitis.

On October 21, 2017, the following supplemental police report was written by Officer Pires documenting his actions and the actions of Officer Michael Stanitis during the arrest of Mr. Fernando Morales while on scene at 316 Colorado Avenue the following is a summary of Officer Pires's report:

Officer Pires's reports that while on scene at 316 Colorado Avenue he observed Officer Stanitis escorting a combative male subject who was in custody away from the premises. The male subject was later identified as Mr. Fernando Morales. Mr. Morales was yelling obscenities at Officers and was actively resisting against Officer Stanitis. Officer Pires approached and secured Mr. Morales's right arm and assisted Officer Stanitis in escorting Mr. Morales to an available patrol vehicle.

Upon their arrival at a patrol vehicle Mr. Morales was ordered to place himself against the rear of the vehicle to allow Officers to open the rear doors. While placing Mr. Morales at the rear of the vehicle he began yelling, "fuck you mother fuckers" and posturing himself against the vehicle in addition to pushing off against Officers.

While Officer Pires and Officer Stanitis were holding Mr. Morales against the vehicle Mr. Morales began to place his legs against the vehicle and attempted to push off again trying to break away from the Officers.

Officer Pires reported at this point he grabbed hold of Mr. Morales's left arm with both hands placing his right leg against the left leg of Mr. Morales and spun 180 degrees bringing Mr. Morales down to the ground placing him on his chest and stomach. While on the ground Mr. Morales continued to be combative and yell fuck you. Officer Pires held Mr. Morales on the ground utilizing hand and knee control maneuvers until the vehicle was opened. Officer Stanitis helped secure Mr. Morales with Officer Pires. They picked Mr. Morales up from the ground and secured Mr. Morales in the rear of the vehicle. Mr. Morales was then transported to booking by Officer Douglas Bepko.

Also, on October 21, 2017, the following use of force report was written by Officer Pires documenting his actions and the actions of Officer Michael Stanitis during the arrest of Mr. Fernando Morales while on scene at 316 Colorado Avenue, the following is a summary of Officer Pires's use of force report:

While on scene Officer Pires observed Officer Stanitis escorting a "combative male" (Mr. Morales) (Page 1, line 1) who was in custody. Mr. Morales was screaming obscenities and actively resisting against Officer Stanitis. Officer Pires secured Mr. Morales's right arm and assisted Officer Stanitis escorting Mr. Morales to an open patrol vehicle. Mr. Morales was ordered to place himself against the rear of the vehicle to allow them to open the rear doors. While placing Mr. Morales at the rear of the vehicle he began yelling "fuck you mother fuckers" (Page 1, line 5) and began posturing himself against the vehicle and pushing off against them. While they were holding Mr. Morales against the vehicle telling him to calm down he began to place his legs against the vehicle trying to push off again and break away from them. At this point Officer Pires grabbed Mr. Morales's left arm with both hands and put his right leg against the left leg of Mr. Morales and spun them 180 degrees bringing Mr. Morales down to the ground on his chest and stomach. Morales continued to be combative and yell "fuck you." Officer Pires held Mr. Morales on the ground with hand and knee control maneuvers until the vehicle was opened. Officer Stanitis then helped pick Mr. Morales up and put him in the vehicle.

Summary of statement given by Officer Michael Stanitis summarized by Sergeant John Burke, he stated the following among other things:

On November 27, 2017, the undersigned Sergeant conducted a taped interview, numbered 5989, with Officer Michael Stanitis at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview was part of an internal investigation initiated by the Chief of Police Armando J. Perez to investigate an incident which occurred at 316 Colorado Avenue on October 21, 2017 at approximately 22:00 hours. The interview was conducted by the undersigned Sergeant and Sergeant John Burke. Also present during the interview was Union Steward Police Officer Bruno Rodrigues.

Officer Michael Stanitis was read his Garrity warning, it was explained, the interview was for administrative purposes only and as a public servant he was obligated to answer questions relative to his employment. Officer Stanitis stated he fully understood his rights and responsibilities and further swore his oral testimony given or written statement made concerning the case in question would be the truth, the whole truth and nothing but the truth subject to pains and penalties of perjury or false statement.

The following is a summary of the statement given by Officer Michael Stanitis. Officer Michael Stanitis stated amongst other things he has been a Police Officer for approximately six and a half years. He is presently in the patrol division working on the C shift between the hours of 15:00 and 23:00 hours in Green 31, squad 7 as a two-man unit and his partner is Officer Chelsea Lancia. Officer Michael Stanitis further stated he has a recruit Officer with him (Dominic Muoio).

Officer Michael Stanitis stated he was working on the evening of October 21, 2017 in Green 31 and his partner that night was Officer Geraldo Ortiz (JR), his recruit was not with him on this night and he did not remember who his immediate supervisor was that night.

Officer Michael Stanitis stated on October 21, 2017 he responded to a call at 316 Colorado Avenue because a 10-32 was called out by units on scene who needed help. Officer Stanitis explained a 10-32 meant drop whatever you're doing and go, it's an officer needs assistance, they need help, it's an Officer safety situation.

Officer Michael Stanitis explained, when he arrived on scene they had come onto Colorado Avenue from Fairfield Avenue by making a left onto Colorado Avenue from Fairfield Avenue.

When he arrived on scene there were a ton of cars, there were a lot. He parked his patrol vehicle a few houses away from 316 Colorado Avenue. When he exited the car, he saw cops and people. He was with his partner Officer Geraldo Ortiz. They got out Officer Stanitis did not remember where his partner went but assumed they walk toward the back of the house (316 Colorado Avenue) because that is what he did.

Officer Stanitis explained he just saw chaos, cops everywhere, people everywhere, he did not recall if he heard music. Officer Stanitis described what he meant by chaos, stating, just maybe a little tunnel vision at that point, because they drove code from the east side and, um, it was a 10-32, and he heard people yelling, so he did not really know what was going on and he just remember seeing uniforms coming and going, bumping into people and seeing people coming and going. he heard yelling. He heard, just there were just people everywhere. There was just a crowd of people.

Officer Stanitis stated he heard profanity used towards the Police Officers. He explained one person in specific he remembered, it was the party he helped transport from the back of the property to the front, for Officer Sherback (Fernando Morales), he heard him yelling, because he was right next to him. "He (Fernando Morales) was using expletives and racial slurs, a lot of different ones. He was yelling, fuck you, you fucking niggers. He was yelling, get the fuck off my property. I'm gonna fuck you up." (Page 7,

line 294-300) This person was handcuffed and on his way out of the yard at this time.

Officer Stanitis explained that he did not remember what this individual, (Fernando Morales), was wearing until after wards because he was focused on his face, because he kept turning and yelling and he did not want to get spit on.

Officer Stanitis explained he had walked into the crowd, and saw Officer Sherback, and it appeared this individual (Fernando Morales) was giving Officer Sherback a hard time. Officer Sherback saw him and said, get this guy to a car. Officer Stanitis helped him and at some Officer Pires stepped in and had the other side of him and they walked him (Fernando Morales). This individual was yelling the whole way. They got to the car and they walked up to the front of the car, at the front of the house, to the first available patrol car.

As they get to the car, it was locked, they had him (Fernando Morales) right by the car. Officer Stanitis stated he went into his pocket to get the keys and was trying to figure out how to get the car door open. Officer Stanitis stated at this point before he got the car open he did not know if he kicked off the car or if he turned around. He was doing something. It happened really quickly beside him. Officer Pires did some type of a maneuver and took him (Fernando Morales) to the ground and escorted him to ground in a controlled fashion. Officer Stanitis stated he assisted, kind of, by holding him (Fernando Morales) down and for just a second, just until they knew he was under control. Officer Stanitis got up and got his keys out. He got the car door open and they got him up and they got him in the car.

Officer Stanitis explained, when asked, he did not strike this individual, he said he did not strike the individual while at the car. When asked, how the individual was taken off the ground, he explained, they assisted him up, it was partially them and him, he was kind of standing up and they kind of helped him up. As he was placed in the car, Officer Stanitis explained, he just had to push his head downwards because he was still yelling and screaming. He was not physically fighting at this point, so he just needed his head to be pushed downward, so as he did not hit his head and he went in the car.

Officer Stanitis was asked if he had completed a use of force form, he stated he did not, and was under the impression Officer Pires had done it to account for the incident.

Officer Stanitis was asked if he had smelled alcohol on the individual or had noticed if he was intoxicated. He explained he did not notice at the time, but the individual was acting belligerent to the point where he assumed he probably was.

Officer Stanitis was asked if he had given any commands, he said he told him to keep moving, and told him, to get in the car, he mostly complied.

Officer Stanitis was asked if upon his arrival he had seen any children, he stated he did not see any children. He was asked how many people he saw, he replied, he would just be giving a number, just to satisfy curiosity, he did not know how many people he saw. He saw a lot of people and did not know how many were cops and how many people, it was just back and forth.

Officer Stanitis was asked if at any point he felt he was in any immediate danger. He explained when he first got there, yes, the scene had not really been controlled yet. There were people kind of everywhere and even though he was focused, with the adrenaline, he was still trying to look around and keep his eyes open.

Officer Stanitis was asked if other than the individual (Fernando Morales), had he gone hands on with

anyone else. Officer Stanitis replied, no, he attempted to assist. After they got this guy (Fernando Morales) in a car he was walking to the back to check to see where his partner was. He saw a group of officers struggling with somebody (Carmelo Mendez). He heard an officer yell, "Gun." He attempted to assist. All he did was see officers he could not even see the guy (Carmelo Mendez). Officer Stanitis tried to get in to assist with handcuffing him, and he could not, due to his angle he could not even get his (Carmelo Mendez) arms, then, that was it, and he backed away, and they left shortly after that.

Officer Stanitis was asked if he was able to get into the crowd, he replied, yes, for a few seconds.

Officer Stanitis was asked, what he saw, and what he did, while he was in the crowd, he replied, he did not see much. He saw cops to the left of him, and to the right of him, and like above him, and in front of him, they were on top of him (Carmelo Mendez). He then saw a small portion of the guy's (Carmelo Mendez) back. Officer Stanitis stated, he was trying to pull him, and remembers just trying, to get his arm. Officer Stanitis could not reach over him (Carmelo Mendez) because there was no leverage. There was no way he could assist, and then he really felt like he was in the way at that point, so he just backed away from the whole situation and let the other officers handle it.

Officer Stanitis was asked if he saw any Officers get assaulted, he replied, did I see an Officer get assaulted, no.

Officer Stanitis was asked, while he was in the group of Officers trying to restrain the guy (Carmelo Mendez) if he knew who the guy was and why they were trying to restrain him. Officer Stanitis stated no, he saw them struggling, he heard somebody yell, "Gun," and he was assuming it was a cop yelling gun for the suspect other than that, he has no idea.

Officer Stanitis was asked if he carries an asp, (proprietary name of Police Baton) he said no. Did you see anyone pull out an asp, he said, no, he did not. Did you see any individuals, any officers, using an asp to try and take this individual, that was resisting, trying to take his arms out from underneath him, Officer Stanitis said, he did not see them. End of (Part 1)

(Part 2)

Officer Stanitis was asked if he saw an asp at all, he responded, no. If he had heard anyone yell out, give me an asp, he said, he did hear someone ask for an asp. He was asked if he knew who asked for an asp, he stated at the time, no, he did hear it was Officer Fortes (Detective Fortes). He was asked if he saw Officer Fortes in the group of Officers, he said no, he did not, he just could not make out any of the Officers.

Officer Stanitis was asked, if while in the pile, he could only see the individuals (Carmelo Mendez) back, he stated, yes, like a section of his back. Officer Stanitis was asked if he was closer to his head, or closer to his feet, he responded, he believed, he was closer to his head.

Officer Stanitis was asked if he was able to see his head at all, *he said, "no, no, poor lighting."* (Part 2 Page 2, line 55) Officer Stanitis was asked how close he was able to get to this individual, Officer Stanitis said, *"he was close enough to touch him,"* (Part 2 Page 2, line 59) he was trying, to grab underneath, he was trying, to get his arm, but he was weighted down.

Officer Stanitis was asked if the individual was facing up or facing down when he was down there with him. Officer Stanitis responded, he thought, he was facing downwards, and almost in that direction, in the opposite direction of himself, because his back was to him. He thought, they were trying to get his arms from the other way, he did not know if that makes, he's not being very articulate right now, was facing

mostly down.

Officer Stanitis was asked if he could you hear him (Carmelo Mendez), or if he heard anyone telling him (Carmelo Mendez) anything, barking out any orders to him. Officer Stanitis stated, the thing he remembered hearing was, give me your hands, his hands, get his hands, give me your hands. He also remembers hearing the gun thing then all about the hands, this is when he was going for his arms.

Officer Stanitis was asked if he was to the right of him or to the left of him, he responded, to the *left of him*.

Officer Stanitis was asked what arm he was trying for, he said, it would have been his left arm, he was not successful.

Officer Stanitis was asked if he saw anyone strike this induvial (Carmelo Mendez) he said, no.

Officer Stanitis was asked if he struck this individual, he said, no.

Officer Stanitis was asked if he saw injuries on this individual, he said, "no, he could not even see him at all." (Part 2 Page 3, line 112)

Officer Stanitis was asked if he heard this individual say anything, like, they're hitting me, or anything like that, he said, he did not, not that he was aware of, he did not hear him say anything.

Officer Stanitis was asked, at what point he backed away from pile, he said, several seconds later. He did not know exactly how long it was, but it was pretty quick. *"He remembers reaching in, trying to grab, and made a really decent attempt, but he could not. He (Carmelo Mendez) was pinned down, at that point he felt he was probably more in the way, so he backed away from preventing other officers from being able to do their job." (Part 2 Page 3, line 125-129)*

Officer Stanitis was asked if he had seen the video of the incident, he said yes, he had seen the video. He said, he had seen himself in the video, and had seen himself go into the pile. Officer Stanitis was asked, if what he had already stated, about the incident, was what he had seen on the video, or something different, he replied, yes, it's what happened.

Officer Stanitis was asked, if he saw when the cuffs were placed on this individual he said, no.

Officer Stanitis was asked, if saw, when he (Carmelo Mendez) was lifted off the ground, he replied, he was standing behind Officers, he generally saw them getting him up, but he was not able to see any, he was not able to see him, well there were backs to him, there were at least a couple backs to him, definitely.

Officer Stanitis was asked who escorted him (Carmelo Mendez) to the car, he said he thought it was Officer Szeps, and he followed a little bit, until they got to the front.

Officer Stanitis was asked, if he saw anything happen on the way to the car, he said, no sir.

Officer Stanitis was asked if he saw anyone grab Mr. Mendez, by his chain, he responded, by his chain, no sir.

Officer Stanitis was asked, if he saw anyone yanking, Mr. Mendez's chain, moving his head back and forth, he said, no.

Officer Stanitis was asked if Mr. Mendez resisted, in any way, on the way to the car, he responded, not that he was aware of.

Officer Stanitis was asked if he had hands on him, on the way to the car, he said, no.

Officer Stanitis was asked, on the way to the car, if he saw any injuries on head of Mr. Mendez, or facial area, he said, no.

Officer Stanitis was asked, if he escorted him all the way to the car, he replied, he walked, behind him a little way, and then he was a couple cars down, he thought at that point. He did not remember the exact distance it was the general area they were all in the front of the house.

Officer Stanitis was asked if he walked him all the way to the car he said, yes.

Officer Stanitis was asked if he saw anyone take out a gun belonging to Mr. Mendez at the car, he said no, he did not, he was just thinking about what he saw, he did not, he did not see any of that.

Officer Stanitis was asked, if he was aware there were cameras on the house and he stated, he would assume there are, because there was that one camera, so there are probably other cameras, He did not know if there are, he is just guessing there are.

Officer Stanitis was asked if he saw the cameras, he said, no, but he remembered the guy (Fernando Morales) he brought from the back, say get off my property, there are cameras all over this house, Officer Stanitis remembers, he said that specifically.

Officer Stanitis was asked the following: Did you see, while at the police car with Mr. Mendez, anything unusual happen at the car, Officer Stanitis said, no sir. Did he (Mr. Mendez) get into the car without any problems, Officer Stanitis said, he believed so. Did you hear Mr. Mendez say he had a gun permit, Officer Stanitis said, he did not, no. Did you hear any officers say, this gun looks a lot better on me, you are never getting this gun back, Officer Stanitis said, no.

Officer Stanitis was asked, if there were any supervisors on scene, *he said, he saw Lieutenant Sapiro.* Officer Stanitis was asked, if he remembered walking in with Lieutenant Sapiro, he said, he remembers seeing him face-to-face at one point, he did not remember his back, he may have been behind him, at one point, but he did not remember.

Officer Stanitis was asked if he remembered talking to any supervisors on scene, *he said, yes, it was Lieutenant Sapiro.* Officer Stanitis explained when he walked, there was one point, where he and Natalie were standing next to each other. Lieutenant Sapiro asked her are you all right, she goes, yeah, I'm all right and then he just walked away he remembered they were standing next to each other.

Officer Stanitis was asked again about the pile, and if he recalled any officers around him, or if he just recalled seeing the suspects (Carmelo Mendez) back, he said, no, he just remembers seeing uniforms, that is it.

Officer Stanitis was asked if he knew, who yelled, gun, he said, he did not, he was asked if he saw a gun, he said, no.

Officer Stanitis was asked, if anyone on scene directed him to do anything, he said, just Todd Sherback,

when he encountered him, he said get this guy to a car.

Officer Stanitis was asked, if he made an arrest, he said, no.

Officer Stanitis was asked, if the only arrest he assisted in, for a brief moment, was Mr. Mendez, on the ground, the individual with the gun, he said, yes, that and the party that they walked to the car, if you consider that an assist.

Officer Stanitis was asked, did you see, when Mr. Mendez, was taken down to the ground, he said, no, I could not see that.

Officer Stanitis was asked if, as he was walking in, if he saw where he (Carmelo Mendez) was, and if they were already on the ground, Officer Stanitis said, *well it was very poor lighting*, he saw a group of Officers, and it was just like this. It was just, a commotion, it was like, a back and forth, then at one point, as Officer Stanitis got a little bit closer, he heard gun, and then he realized, what was going on, that they were trying to arrest somebody.

Officer Stanitis was asked if when he brought Mr. Morales out to the front whether he recalled any injuries on Mr. Morales he said, he believed, he had no injuries on him. (Part 2 Page 9, line 400)

Officer Stanitis was asked if Mr. Morales received any injuries when he was taken to the ground, he said, no.

Officer Stanitis was asked if any one struck Mr. Morales when he was on the ground he said, nope.

Officer Stanitis was asked about Mr. Mendez when he was near his head, while he was on the ground, and about how he had saw the video. *"He was asked whether he recalled seeing the photographs attached to the video of his injuries, he replied, yeah, he saw the whole thing. Officer Stanitis was asked if he knew who had done the injuries to his head, he said, who did what. It was explained the injuries to his head, he said, I have no idea. He was asked, did you do that? he said, no."* (Part 2 Page 10 line 419 446

Officer Stanitis was asked if he had seen anyone use an asp he said, no I did not.

Officer Stanitis was asked if he recalled any one around him while he was near the head of Mr. Mendez, he said he recalled Officers, but he did not recall who they were. He just remembers seeing uniforms, uniforms and uniforms.

Officer Stanitis was asked to recall the video he had seen and if he could recognize any Officers from the video, he said he remembered seeing, from memory, *Officer Meade to the right of him, he did not know who was to the left of him, he remembers seeing Officer Meade.*

Officer Stanitis was asked how many times he watched the video he said, a couple of times and thought he remembered seeing Sergeant Scillia at one point because he remembers seeing sergeant stripes. He also remembered seeing Officer Szeps.

Officer Stanitis was asked the position of Officer Szeps, *he said if were going off the video right because he did not remember on scene, he remembers Szeps being on the other side of him.*

Officer Stanitis was asked, based on the video if he recalled Detective Fortes in the video in relation to him, he said he did not.

Officer Stanitis was asked if he used any unnecessary force he said, no. He was asked if after watching the video he saw anybody use unnecessary force, he said, no, I could not really see much from the video. Officer Stanitis was asked if he used any unreasonable force he said, no, he was asked if he had seen anyone use excessive force while he was there he said, no. He was asked if he had used excessive force he said, no.

Officer Stanitis was asked if at any point he had dropped anything he said, no. If he had taken anything off of his belt he said no. If he had handed anything to anyone he said, no. If anyone had handed him anything he said no. If he had placed anything on his belt at any time he said, no. If at any time he had hurt his right hand he said, no. If at any time he had injured himself during the arrest to Mr. Mendez he said no. If he knows if any other officer was injured during the arrest of Mr. Mendez he said he did not know.

Officer Stanitis was asked if he had transmitted at all on the radio he no he did not. Officer Stanitis was asked if at any point he had seen a gun when it was all over he said no. Officer Stanitis was asked if he had ever entered the house he said no sir. Officer Stanitis was asked if he was tasked with transporting anyone to booking he said nope. Officer Stanitis was asked if he spoke with any civilians on scene he said no. *Officer Stanitis was asked if he wrote a report pertaining to his actions or what he observed he said he did not.* Officer Stanitis was asked if anyone directed him to write a report he said no. *Officer Stanitis was asked if he felt he had to write a report he said no.* Officer Stanitis was asked why he ultimately cleared 316 Colorado Avenue he said he saw Officers leaving and it just appeared the situation was well under control. Officer Stanitis was asked if he saw anything going on the back deck of 316 Colorado Avenue he said, no.

Officer Stanitis was asked if he saw any Officers involved in a situation with a female back there he said no. He was asked if he saw any females getting arrested he said no. He was asked if he saw any civilian videotaping the scene with cell phone he said he did not recall. He was asked if he videotaped anything he said no. *Officer Stanitis was asked once again if while in the pile, did he strike Mr. Mendez he said no sir.*

Officer Stanitis was asked how much time he was on scene from the time he arrived until the time he left he said five minutes less than ten. Officer Stanitis was asked if he heard anything while Mr. Mendez was on the ground he said he heard, hand, it's about his hands, get your hands, get your hands behind your back, give me your hands, that is what he remembers. *Officer Stanitis was asked if he was resisting, he said "he would guess, he was, but he could not really see exactly what was going on." (Part 2 Page 16 line 701)*

Officer Stanitis was asked, at the point he was near his back, close to him, where he saw his back, trying to pull his arms out, was he resisting. *Officer Stanitis replied, his body felt tense to me, and I was hearing the officers yell, "Give me your hand, you know, give me your hands. Get his hands. So, I would assume that he was resisting being handcuffed, yeah.*

Officer Stanitis was asked if he gave him any commands to remove his hands, he said, not that he remembered, he did not think he did, no.

Officer Stanitis was asked if he remember saying anything while Mr. Mendez was on the ground he said, no.

Officer Stanitis was asked if he would have seen someone strike him, would he say he did, he replied "yeah because he would assume if somebody struck him, that they would document it and a use of force, so of course he would." (Part 2 Page 17, line 744-745)

Officer Stanitis was asked, while he was leaving the scene, if he saw a wheel chair, he said he believed he saw somebody, a guy, in a wheelchair when he first got there. He was asked, if he saw a wheelchair in the middle of the street when he was walking to his car he said, no sir.

Officer Stanitis was asked, if he saw an Officer walking back to the house with the wheel chair he said, no.

Officer Stanitis was asked, what he did when he left the scene, he stated he went to patrol and parked the car and just went home. He did not go to booking and he did not see Officer Pires that night after he had left. Officer Stanitis explained Officer Pires wrote the report and put his name in it and he had read his report and it was accurate.

The following is a summary of several videos which were obtained during the course of this investigation capturing the conduct of Officer Michael Stanitis on the October 21, 2017 some of which contradicts his account of his behavior while at 316 Colorado Avenue.

Video Name: **10-21-17 316 Colorado Avenue Berke USB**, this particular video captured several different views of 316 Colorado Avenue. The views/cameras were named ch01, ch02, ch03, ch04, ch05, ch06 and ch07. The data captured by these cameras were stored in segments/files identified by time stamps in military time. The following is a summary of what was captured relative to the conduct of Officer Michael Stanitis.

On October 21, 2017 Officer Michael Stanitis is captured on view/camera ch07, segment 222410-223244 at 10:27:55PM (time stamp on video) arriving from the left side of the house (316 Colorado Avenue) walking towards the driveway.

(View/camera ch06, segment 221251-222942) At 10:28:04PM (time stamp on video) Officer Michael Stanitis is walking past a gate midway in the driveway and helps Officer Sherback arrest Mr. Fernando Morales by removing him for the rear yard at 10:28:18PM (time stamp on video).

(View/camera ch06, segment 222942-224634) At 10:29:48PM (time stamp on video) Officer Michael Stanitis enters the rear of the home by the driveway and is present at the beginning and during the arrest of Mr. Mendez. Officer Stanitis is observing other Officers attempting to arrest Mr. Mendez at 10:29:53PM. The video clearly shows Officer Stanitis *removed an item from his duty belt (consistent with the area Officers commonly carry their flashlight)* on the left rear side of his body at 10:29:55PM and look in the direction of Lieutenant Sapiro. While positioning himself toward the bottom of the group of Officers near Mr. Mendez's head. Officer Stanitis stated that he neither took anything off of his belt (*Part II, Pages 12-3, Lines 562-4*), nor did he put anything onto his belt (*Part II, Pages 12-3, Lines 574-6*).

After taking the item (*consistent with a flashlight*) off of his belt Officer Stanitis then positioned himself between Officer Silva who was to his right and Officer Bobby Hernandez who was to his left and Detective Fortes who is in front of Officer Stanitis on the opposite side of Mr. Mendez's body. All the Officer are on the ground with Mr. Mendez and all appear to be in direct contact with Mr. Mendez who is lying on the ground. And according to Officer Stanitis Mr. Mendez was facing downward while in the ground.

(View/camera ch06, segment 222942-224634) At 10:30:01PM (time stamp on video) a flash of light is seen directly under the torso of Officer Michael Stanitis (*consistent with a flashlight*) in his hand. At 10:30:03 Officer Stanitis kneels between Officer Silva and Officer Bobby Hernandez and appears to rapidly move his right arm back and forth toward the head area of Mr. Mendez. It appears to be Officer

Stanitis striking Mr. Mendez. At 10:30:06 Officer Stanitis partly stands up never leaving his position, briefly looks in the direction of Lieutenant Sapiro and again then kneels down between Officer Silva to his right and Officer Bobby Hernandez to his left. At 10:30:07 one can see Officer Stanitis rapidly move thrusting his right arm again several times towards the head area of Mr. Mendez appearing to strike Mr. Mendez.

(During his statement Officer Stanitis was asked if other than the individual (Fernando Morales), had he gone hands on with anyone else. Officer Stanitis replied, no, he attempted to assist. After they got this guy (Fernando Morales) in a car he was walking to the back to check to see where his partner was. He saw a group of officers struggling with somebody (Carmelo Mendez). He heard an officer yell, "Gun." He attempted to assist. All he did was see officers he could not even see the guy (Carmelo Mendez). Officer Stanitis tried to get in to assist with handcuffing him, and he could not, due to his angle he could not even get his (Carmelo Mendez) arms, then that was it, and he backed away, and they left shortly after that. *(Part I, Pages 11, Lines 464-471),*

(During his statement Officer Stanitis was asked, what he saw, and what he did, while he was in the crowd, he replied, he did not see much. He saw cops to the left of him, and to the right of him, and like above him, and in front of him, they were on top of him (Carmelo Mendez). He then saw a small portion of the guy's (Carmelo Mendez) back. Officer Stanitis stated, he was trying to pull him, and remembers just trying, to get his arm. Officer Stanitis could not reach over him (Carmelo Mendez) because there was no leverage. There was no way he could assist, and then he really felt like he was in the way at that point, so he just backed away from the whole situation and let the other officers handle it. *(Part I, Pages 11, Lines 480-486),*

(Officer Stanitis was asked if he saw anyone strike this individual (Carmelo Mendez) he said, no. Officer Stanitis was asked if he struck this individual, he said, no. Officer Stanitis was asked if he saw injuries on this individual, he said, no, he could not even see him at all). *(Part II, Page 3 Lines 102-122).*

At 10:30:09 Officer Stanitis stands and walks away from his kneeling position and replaces the item onto his duty belt on the left side of his body with his left hand and appears to secure the item. Officer Stanitis stated that he neither took anything off of his belt *(Part II, Pages 12-3, Lines 562-4),* nor did he put anything onto his belt *(Part II, Pages 12-3, Lines 574-6).*

(Officer Stanitis was asked, if while in the pile, he could only see the individuals (Carmelo Mendez) back, he stated, yes, like a section of his back. Officer Stanitis was asked if he was closer to his head, or closer to his feet, he responded, he believed, he was closer to his head. Officer Stanitis was asked if he was able to see his head at all, *he said, no, no, poor lighting. (Part II, Page 2 line 55) Note: In video footage obtained during this investigation both in color and in black and white Officers and Civilians can be clearly be seen.*

Officer Stanitis was asked how close he was able to get to this individual, Officer Stanitis said, he was close enough to touch him, he was trying, to grab underneath, he was trying, to get his arm, but he was weighted down.

Officer Stanitis was asked if the individual was facing up or facing down when he was down there with him. Officer Stanitis responded, he thought, he was facing downwards, and almost in that direction, in the opposite direction of himself, because his back was to him. He thought, they were trying to get his arms from the other way, he did not know if that makes, he's not being very articulate right now, was facing mostly down.

Officer Stanitis was asked if he could you hear him (Carmelo Mendez), or if he heard anyone telling him

anything, barking out any orders to him. Officer Stanitis stated, the thing he remembered hearing was, give me your hands, his hands, get his hands, give me your hands. He also remembers hearing the gun thing then all about the hands, this is when he was going for his arms.) (*Part II, Pages 1-2, Lines 44-83*),

At 10:30:17 Officer Stanitis turns his back to the Officers attempting to arrest Mr. Mendez. At 10:30:21 Officer Stanitis turns towards the arresting Officers and looks at his right hand and stretches his thumb out twice then rubs his right hand on his pant leg as if he had injured his hand.

At 10:30:33 Officer Stanitis returns to his original position between Officer Silva and Officer Hernandez and observes the Officers complete the arrest of Mr. Mendez. Officer Stanitis stated that he did not see anyone striking Mr. Mendez, nor did he, himself, strike Mr. Mendez. Officer Stanitis also stated that he did not see any injuries on Mr. Mendez, offering that he was unable to "even see him at all" (*Part II, Page 3, Line 112*). The video shows Officer Stanitis was looking in the direction of Sergeant Paul Scillia, as Sergeant Scillia delivered two strikes to Mr. Mendez at 10:30:33-10:30:35.

At 10:30:44 Officer Stanitis is present as Mr. Mendez is picked up off the ground and helps escort Mr. Mendez to the front of the house where cameras lose sight of him. Officer Stanitis stated that when Mr. Mendez was lifted off the ground, he himself was standing behind officers, and also that he was not able to see Mr. Mendez, well (*Part II, Page 4, Lines 158-62*). The video however shows Officer Stanitis helping to lift Mr. Carmelo Mendez off the ground and appears to have an unobstructed view as Mr. Mendez was pulled to his feet.

At 10:30:49 Mr. Mendez is escorted off the property by Officer Szeps, Officer Stanitis and Officer Silva.

Additional videos of the arrest of Mr. Carmelo Mendez were provided by Attorney Berke (01-25-18 Video received from Att Berke) which were copies of videos already obtained but were narrated by Mr. Carmelo Mendez. One of the videos marked 20171022_170415 was of the arrest of Mr. Carmelo Mendez. During this video Mr. Mendez is watching the video while narrating. Mr. Mendez can be heard saying, him right here, the tall one, look, he put something in his hand, and look he starts hitting me in the face, him right here, Mr. Mendez points to the video with his finger and places it on Officer Michael Stanitis. Mr. Mendez goes on to say, he (Officer Michael Stanitis) is going to put something in his pocket, his back pocket, his back pocket, Mr. Mendez thought it may have been his handcuffs. Mr. Mendez continues watching and says, and look, this guy, punched me twice (Sergeant Scillia) and again, amazing.

On 10-23-17 Mr. Mendez signed a consent to search form to extract files from his cellular phone the device is a Samsung SM-J700T Galazy J7. Detective James Kennedy preformed forensic exam and completed an extraction report.

During the extraction, image 20171022_145823_1508700034988 was recovered. This image depicted the left side temple area of Mr. Mendez's face. There were approximately seven circular bruises on the face of Mr. Mendez. In the center of one of the circular bruises there appears to be an "S" imprint in the middle of the bruise. It is the belief of the undersigned investigator these bruises are consistent with the back end of a Streamlight flash light a common flashlight purchased by many Officers. The back end of the Streamlight flashlight is called a tail cap click switch. The click switch is made of a soft plastic/rubber material when depress turn the flash light on. The plastic/rubber click switch has an "S" insignia stamped engraved in it.

The purpose of this interview was to determine whether the conduct of Officer Michael Stanitis followed the Policies of Bridgeport Police Department. The use of force used by Michael Stanitis was excessive, unnecessary and unreasonable based on the facts and circumstances gathered from video evidence which was collected throughout the development of this investigation. Officer Stanitis during his statement

disclosed what he observed and what he was unable to observe while participating in the arrest of Mr. Mendez on Colorado Avenue.

Although Officer Stanitis explained what he saw during the arrest, videos obtained throughout this investigation indicate Officer Stanitis based on his position in the group of Officers and his actions during the arrest of Mr. Mendez should have reasonably been able to see what was taking place right in front of him and should have been aware of his own actions because he was in direct contact with Mr. Mendez during the arrest.

The undersigned Sergeant has determined, based on the statement of Officer Michael Stanitis coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Michael Stanitis has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

43. Police Officer John Topolski

Summary of statement given by Officer John Topolski, summarized by Sergeant Fabio Pereira, Officer Topolski stated the following among other things:

On November 27, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Officer John Topolski in the Office of Internal Affairs. *See Officer Topolski's complete statement for specific details.*

Officer Topolski stated he has been employed with the City of Bridgeport as a police officer for approximately 5 ½ years. Officer Topolski stated that he was assigned to car Amber 23 with Officer Cody Remy. Officer Topolski stated that upon his arrival at 316 Colorado Avenue he observed Officer Stavros Mirtsopoulos walking out a woman that was dressed as wonder woman, Mrs. Wanda Mendez, from behind the house. According to Officer Topolski, Officer Mirtsopoulos asked him if he could put her in the back of his patrol car and he said, "Yes" and helped her in the vehicle. Officer Topolski related that once the vehicle was secured, he proceeded to the rear of the house by the way of the driveway on the right side of the house. Officer Topolski also stated that he observed Officer Daniel Faroni assisting in wheeling a man that was in a wheelchair, Mr. Peter Diaz, to the front of the house.

Officer Topolski indicated that as he walked into the driveway he heard a lot of different people saying that they had no right to be there and people were still confronting officers and not listening to any commands that were being given. Additionally, Officer Topolski states that they were insisting that they can film which he explained was fine but that they needed to get back. Officer Topolski explained that he was basically crowd control and that he was giving commands for people to stay back.

Officer Topolski described the scene as chaotic and that there were people everywhere with cameras directly within a foot in the officer's faces. Officer Topolski articulated that no one was really listening and that everyone was chiming in and yelling, "No one had any to be there, Fuckin' leave. Get outta here. Don't touch me" (Topolski 236-237). Officer Topolski explained that at that point no one was being touched.

Officer Topolski related that at that point he did not personally feel that he was in danger since much of the crowd had been dissipated. Officer Topolski reveals that at one point when he was advising a gentleman to get back when there was an altercation where Officers were attempting to apprehend a gentleman to the ground. Officer Topolski exclaims that the officers were trying to turn him around to apprehend him and his initial resistance took place and the officers took him to the ground. Officer Topolski states that officers then started yelling that he had a firearm on him.

Officer Topolski indicates that he managed to keep everyone back because everyone that was at the party tried to converge on that immediate area and that he was not involved in the takedown. Officer Topolski disclosed that he is not a fan of the pig pile (*Page 20, line 515-517*) and wanted to make sure to watch everyone's else back when they had that party detained and stated that he focused on keeping everyone back. Officer Topolski related that he was towards the end of the driveway near the deck. During the interview, Officer Topolski seemed confused about which party that was taken to the ground. Officer Topolski believed that the party taken to ground was taken to the ground was dressed as Superman, Mr. Morales, but later in the interview Officer Topolski states that he does not remember seeing a party being taken by the ground by Officer Natalie McLaughlin and Officer Todd Sherback who had in fact taken Mr. Morales to the ground.

According to Officer Topolski, he observed Officer Mark Blackwell on the deck who had an elderly lady detained, Ms. Sara Deida. Officer Topolski states that he just stayed with crowd control and imparted that

he did not strike anyone, nor did he see any officers strike anyone while on scene. Officer Topolski indicated that while on scene he picked up a cell phone that was on the ground near the deck. Officer Topolski stated that he did not know whose cell phone it was and that he put it on a table.

Officer Topolski expressed that once the scene was essentially safe he returned to his car and waited until the street was clear and transported Ms. Mendez's to Booking. Officer Topolski explains that once he entered Booking he went to the back with Ms. Mendez where prisoners are photographed and did not stop at the front desk.

Officer Topolski relates that he sat Ms. Mendez down and started to help her remove her personal effects and later removed her handcuffs. Officer Topolski articulated that while in Booking the male suspects were being loud and belligerent on the other side, but that they were where the prisoners are photographed and fingerprinted. Officer Topolski added that there was constant verbal altercation going, but not one specifically. Officer Topolski expressed that he did not feel the need at any point to go provide assistance at any other area at Booking and since he had an uncuffed suspect, he was not going to walk away from her. Officer Topolski states that he was in Booking for approximately 20 minutes.

Review of Video Footage from 316 Colorado Avenue provided by Attorney Robert Berke capturing the conduct of Officer John Topolski

Under this footage, by reviewing Channel 4 the viewer can see that Ms. Mendez is being escorted out by Officer Mirtsopoulos (10:27) and he then walks out of the camera view. Note that Officer Topolski noted in his statement that Officer Mirtsopoulos had asked him to place Ms. Mendez in his vehicle. Unfortunately, the camera view, Channel 3, which would have captured Officer Topolski and Officer Mirtsopoulos placing Mrs. Mendez in the vehicle does not work. Officer Topolski walks back to the front of the house at 10:28 at which point, Officer Faroni is wheeling out Mr. Diaz.

Under channel 6, Officer Topolski is seen walking in to the property. By the time he is in the backyard, the incident involving Mr. Fernando Morales and Officer Mark Blackwell has already occurred and Officer Topolski is seen just looking around the scene. Officer Topolski in his statement states that he is confused about the incidents surrounding Mr. Morales and Mr. Mendez, however, it is clear in the video that Officer Topolski was not even on scene when the incident with Mr. Morales happens. The incident involving Mr. Carmelo Mendez then occurs and Officer Topolski stands over the Officers for a few seconds and then walks to the rear of the yard. By the time he walks in the area where Mr. Mendez is, he is already being escorted out. In his statement, Officer Topolski indicates that he picks up a phone and places it on the table, however, this cannot be seen in the video.

Officer Topolski walks back out to the front of the house at 10:31 hours and then returns to the driveway of the house at 10:33 hours. Officer Topolski stays there for another 2 minutes and by this time, most of the civilians have already left and there are several officers on scene discussing the incident.

Review of Booking Video Footage capturing the conduct of Office John Topolski

In the Booking footage, Officer Topolski walks in to Booking at 10:44 hours and walks towards the front desk / processing area by himself and then at 10:46 hours Officer Remy walks in to Booking with Ms. Mendez. Ms. Mendez is taken to the fingerprint area by Officer Remy while Officer Topolski follows him. At this point, Officer Topolski begins to process Ms. Mendez and it appears that he is filling out the arrest card. Note that there is a lot of yelling and multiple parties being processed at this time.

Officer Topolski then walks Ms. Mendez over to the fingerprint machine and starts to remove the handcuffs from her while at the same time the incident involving Officer Thomas Lattanzio occurs and

there is a lot of yelling. Officer Topolski looks over the general direction for a few seconds and then returns to remove the handcuffs off of Ms. Mendez. It appears that he has a hard time removing the handcuffs and Officer Todd Sherback who is processing Ms. Sara Deida assists in the processing of Ms. Mendez. A few minutes later, Officer Topolski is seen removing the handcuffs off of Ms. Mendez.

The rest of the time, Officer Topolski is observed in the Booking area finishing the processing of Ms. Mendez along with Officer Remy. Once they are finished, Detention Officer Denise May searches Ms. Mendez and she is later placed in a cell. Officer Topolski and Officer Remy are seen leaving Booking at 11:04 hours.

The undersigned Sergeant has determined Officer John Topolski has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

44. Police Officer Anthony Caiazzo

Summary of statement given by Officer Anthony Caiazzo, summarized by Sergeant Milton Johnson, Officer Caiazzo stated the following among other things:

On November 28, 2017, Officer Anthony Caiazzo was interviewed at the Office of Internal Affairs. The interview was conducted by the undersigned Sergeant with Sergeant John Burke present. Also present was Officer Ricardo Lopez, who served as union representation for Officer Caiazzo.

Officer Caiazzo stated that on October 21, 2017 he was assigned as car CP4, which is part of the then-named Violent Crime Initiative (VCI) unit. Officer Caiazzo went on to state that he responded to 316 Colorado Avenue as a result of an officer calling out a signal 32 (10-32) "Officer Needs Assistance". Officer Caiazzo continued on, stating that when he initially arrived and attempted to enter from Fairfield Avenue, the road was congested with police cars, so he drove around the block and entered Colorado Avenue from State Street. Officer Caiazzo added that due to the amount of cars in the road, he parked "a few house lengths back, and then jogged up the street to the home" (Page 6, Lines 250,1.)

Officer Caiazzo stated that as he exited his police vehicle, he observed "tons of police vehicles lining the street... ..there's still some citizens on each sides of the sidewalk... ..some people outside of their homes. ...some officer had people detained, walkin' them to vehicles in handcuffs under arrest... ..escorting them to police vehicles" (Page 7, Line 264,8). Officer Caiazzo also stated that as he was approaching the property, he observed Officer Daniel Faroni escorting a handcuffed male who was in a wheelchair to his police vehicle.

Officer Caiazzo stated that he approached the residence where all the other police officers were standing with a large congregation of other people, who he estimated to be upwards of 15 citizens. Officer Caiazzo went on to state that he checked in with his supervisor, Sergeant Paul Scillia, made sure everybody was okay, and performed a crowd control function until the scene was deemed safe. Officer Caiazzo added that Sergeant Scillia cleared him from the scene prior to him leaving.

Officer Caiazzo stated that, while on the scene, he was instructed by Sergeant Scillia "to remain on scene, to make sure until everybody disburses" (Page 8, Line 321).

While responding to questions posed by the undersigned Sergeant, as well as Sergeant Burke, Officer Caiazzo stated that at no time did he feel as though he was in immediate danger, nor did he go "hands-on" with anyone. Officer Caiazzo also stated that he did not see any officers get assault, neither did he see any other officers go "hands-on" with anyone (Page 8, Lines 345-59). Officer Caiazzo went on to state through his responses that he did not see any officers assaulting anyone, nor did he see anyone resisting arrest. Officer Caiazzo went on to state that he did not see anyone get arrested, while on the property and inside the yard (Page 9, Lines 361-72). Officer Caiazzo stated that he was not there to witness an incident with a gun (Line 374-76). Officer Caiazzo stated that he saw Lieutenant Sapiro on scene. Officer Caiazzo went on to state that he observed no injuries to officers or civilians, and that he does not carry a baton or ASP.

Officer Caiazzo estimated that he was on scene at 316 Colorado Avenue for approximately 30 minutes.

Officer Caiazzo stated that at no point did he himself use force on anyone. Officer Caiazzo also stated that he did not see any officers use unreasonable or excessive force (Page 13, Lines 543-53).

Officer Caiazzo stated that prior to him leaving the scene, he checked in with Sergeant Scillia, and was given the okay to clear. Officer Caiazzo went on to state that from there, he went back on to patrol the

area of Greene Homes. Officer Caiazzo added that he did not respond to booking as a result of that incident.

Officer Caiazzo stated that he was not aware of any video cameras on the scene, as he did not see any, nor did he see any citizens with cell phones videotaping the incident.

The undersigned Sergeant has determined Officer Anthony Caiazzo has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

45. Police Officer Judson Brown

Summary of statement given by Officer Judson Brown, summarized by Sergeant Milton Johnson, Officer Judson Brown stated the following among other things:

On November 28, 2017, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Officer Judson Brown in the Office of Internal Affairs. *See Officer Brown's complete statement for specific details.*

Officer Brown stated he has been employed with the City of Bridgeport as a police officer for approximately 3 years that on October 21, 2017, he was assigned to car Amber 22, however he does not recall responding to 316 Colorado Avenue. Officer Brown went on to state that he does not recall hearing any officers requesting assistance, nor does he recall hearing a signal 32.

Officer Brown stated that he does not even recall being on duty at 2200 hours (10:00 pm). Officer Brown added that he is unsure of he had left early that night. Officer Brown also stated that he does not recall responding to booking on that night.

Officer Brown offered that he may have requested to leave early on that night.

Officer Brown's activity was checked in the Heartbeat system, and it revealed that on October 21, 2017, Officer Brown booked off-duty at 19:44:25 hour (7:44 pm). Refer to CAD Event Report #20171021263

The undersigned Sergeant has determined Officer Judson Brown has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

46. Police Officer Joseph Cruz

Police Report authored by Officer Joseph Cruz

I Ofc. J. Cruz responded to assist officers who were out at the above location for a large house party and requesting backup for a hostile crowd. Upon arrival I observed a male later identified as Ramon Davila DOB of [2 - CGS Sec...] following closely behind an officer who had just arrested someone. I immediately grabbed said party to cease his movement toward the officer. The officer who was handling the call stated that the person I had was under arrest. The suspect Davila attempted to walk away, and I did a leg sweep taking him to the ground. Suspect was handcuffed and placed in the back of a patrol vehicle without further incident. A use of force was completed.

Summary of statement given by Officer Joseph Cruz, summarized by Sergeant Milton Johnson, Officer Cruz stated the following among other things:

On November 28, 2017, Sergeant Santiago Llanos and Sergeant John Burke conducted a taped interview of Officer Joseph Cruz in the Office of Internal Affairs. *See Officer Cruz's complete statement for specific details.*

Officer Cruz stated he has been employed with the City of Bridgeport as a police officer for approximately 9 ½ years. Officer Cruz stated that on October 21, 2017 he was assigned to the Violent Crimes Initiative (VCI) unit with a call sign of CP-1. Officer Cruz went on to state that while working on the east side of the city, he originally overheard Officer McLaughlin call for assistance over the air. Officer Cruz added that he started making his way at that point. Officer Cruz continued, stating that when he heard Officer Mazzacco call out a 10-32, he increased his speed in order to get over there.

Officer Cruz stated that upon his arrival he observed numerous police cars that were already on scene, causing for him to have to park near the end of the block. Officer Cruz also stated that he approached the house, he observed Officer Daniel Faroni wheeling somebody out in a wheelchair. Officer Cruz further stated that he observed a thin Hispanic male (Mr. Ramon Davila) following Officer Faroni, who was "jumping around and acting erratic, so I stopped him" (Page 6, Lines 260,1). Officer Cruz went on to state that he Mr. Davila if he was involved in this to which Mr. Davila responded, "No, I'm just trying to leave, I'm just trying to leave" (Page 7, Lines 294-5). Officer Cruz continued on stating that he escorted Mr. Davila back into the rear yard where he inquired of Officer Mazzacco as to Mr. Davila's involvement. Officer Cruz furthered that Officer Mazzacco replied yes, and to arrest Mr. Davila, at which time Officer Cruz attempted to place Mr. Davila under arrest.

Officer Cruz stated that Mr. Davila again attempted to leave, so he "did a leg sweep and "I took him to the ground" (Page 7, lines 307-8). Officer Cruz added that Mr. Davila did not try to assault him, nor did he resist. Officer Cruz furthered that he and Officer Mirtsopoulos handcuffed Mr. Davila, stood him up and escorted him to a nearby patrol car, without incident. Officer Cruz added that he observed no injuries to Mr. Davila.

Officer Cruz stated that he went back to the house to see what was to see what else was going on, and then back to his patrol car.

Responding directly to questions that were posed by the undersigned Sergeant, as well as Sergeant Burke, Officer Cruz stated that during the process of placing, Mr. Davila under arrest, he overheard something about a gun, over his right shoulder, and he believes he observed Officer Adam Szeps and other officers with a party with a gun. Officer Cruz also stated that he looked briefly but did observe that the party (Mr. Carmelo Mendez) "was resisting and they took him down to the ground" (Page 11, Lines 451-2).

Officer Cruz stated in response to additional questioning that he was unaware of what Mr. Davila had done to warrant his arrest, and that he was instructed by Officer Mazzacco to place him under arrest, and Officer Mazzacco initiated the signal 32. Officer Cruz also stated that the scene was chaotic, and Officer Mazzacco did not have time to tell him what Mr. Davila had done to warrant his arrest.

Officer Cruz stated that Mr. Davila did have a cell phone in his hand when he stopped him, and that Mr. Davila was most likely recording, but that he is unaware if the cell phone was in Mr. Davila's hand when he was taken to the ground. Officer Cruz also stated that after placing Mr. Davila into the patrol car, he returned to the house to assist with crowd control. Officer Cruz further stated that he walked back to his car to move it, and as he was returning to the house, he observed a wheelchair in the street, so he picked it up and brought it back to the front yard of the property. Officer Cruz went on to state that he did not speak with any of the 3-4 family members that were in the front area about the wheelchair. Officer Cruz continued on, stating that the scene was chaotic and as such he didn't think to bring the wheelchair to booking, so he just returned it to where he saw the guy come from. (Page 21, line 940-942)

Officer Cruz stated that he was at the scene of 316 Colorado Avenue for approximately 10-15 minutes, and then he went to booking to complete a Use of Force report as well as an addendum. Officer Cruz added that he completes the Use of Force report because he, foot swept, Mr. Davila to the ground. Officer Cruz stated that he did not enter the processing area while he was in booking. Officer Cruz went on to state that he left after his shift was over.

Summary of Surveillance Videos Relative to conduct of Officer Joseph Cruz

During a subsequent review of the surveillance videos that were provided to the Office of Internal Affairs, there were several inconsistencies that were discovered relative the statement provided by Officer Cruz.

Officer Cruz stated that the party that he took into custody was following Officer Faroni, jumping around and acting erratic as Officer Faroni was wheeling Mr. Peter Diaz out of the driveway (Page 6, Lines 256-61). The video displays Officer Faroni departing the driveway of 316 Colorado Avenue with Mr. Diaz, and no one was following him (316 Colorado Ave Berke USB/ ch07-20171021-222410-223244-102000000000, Time 10:28:14). Additionally, the video footage shows that Mr. Davila was in the rear yard of 316 Colorado Avenue video-taping the events as they unfolded, with a cell phone, and in no way interfered with officers that were on scene (316 Colorado Ave Berke USB/ch0620171021-221251-222942-101000000000, Time 10:28:11). The video footage also shows Mr. Davila moving out of police officers' way as they moved about the property (Mr. Mendez Cell Phone Extraction/20171021_222728, Time 01:10). Lastly, the video shows that as Mr. Fernando Morales was being walked out of the property, Mr. Davila followed, but did so from a distance and was not jumping around or acting erratic (316 Colorado Ave Berke USB/ch06-020171021-221251-222942-101000000000, Time 10:28:20).

Officer Cruz stated that Mr. Davila attempted to leave after Officer Mazzacco ordered his arrest, so he "did a leg sweep and took Mr. Davila to the ground (Page 7, lines 307-8). The video displays Mr. Davila making no such attempt to leave after Officer Cruz presented him to Officer Mazzacco. The video shows that Officer Cruz was holding onto Davila's shirt, and his left hand grabbed Mr. Davila's left hand, physically turning Mr. Davila around and throwing him to the ground (316 Colorado Ave Berke USB/ch06-020171021-221251-222942-101000000000, Time 10:28:43-10:28:49). Officer Cruz also stated that after he and Officer Mirtsopoulos handcuffed Mr. Davila, they stood him up and walked him to a nearby patrol car. Officer Cruz went so far as to give a car number "Blue 13" (Page 8, Lines 346-7). Officer Cruz also stated that Mr. Davila gave him no problems while he was walking him to the car. (Page 9, Lines 369-71). Officer Cruz stated that he and Officer Mirtsopoulos placed Mr. Davila into the car (Page 9, Lines 365-7). Officer Cruz additionally stated that when they arrived at the car, Mr. Davila gave no problems (Page 9, Lines 373-5). Officer Cruz also stated that Mr. Davila entered the vehicle on

his own (*Page 9, Lines 377-9*). The video, however, shows that Officer Mirtsopoulos walks Mr. Davila out of 316 Colorado Avenue alone (*316 Colorado Ave Berke USB/ ch07-20171021-222410-223244-102000000000, Time 10:30:05-10:30:45*).

Officer Cruz stated that during the process of placing, Mr. Davila under arrest, he overheard something about a gun, over his right shoulder, and he believes he observed Officer Adam Szeps and other officers with a party with a gun. Officer Cruz also stated that he looked briefly but did observe that the party (Mr. Carmelo Mendez) "was resisting and they took him down to the ground" (*Page 11, Lines 451-2*). The video, however, shows that Officer Cruz, after dealing with Mr. Davila, rose to his feet and walked further into the rear yard (*Mr. Mendez Cell Phone Extraction/20171021_222728, Time 02:57*). When Mr. Mendez was taken to the ground, Officer Cruz just turned his back and took a few steps toward the front, however, worked his way toward where Mr. Mendez was taken down to the ground (*316 Colorado Ave Berke USB/ch0620171021-221251-222942-101000000000, Time 10:29:24-10:29:42*).

Officer Cruz stated that he did not pull his Taser that evening (*Page 17, Lines 758-60*). The video, however, shows that Officer Cruz, during the arrest of Mr. Carmelo Mendez, indeed pulled his Taser out, bent over at the waist – apparently ready to deploy it against Mr. Mendez, then quickly re-holster it as other officer got in his way (*316 Colorado Ave Berke USB/ch0620171021-222942-224634-101000000000, Time 10:29:44-10:29:47*). Officer Cruz stated that he does not recall having walked near or around the officers that were arresting Mr. Mendez (*Page 19, Lines 830-33, Page 20, Lines 870-3*). The video, however, clearly shows Officer Cruz, after nearly deploying his Taser in Mendez arrest, walks around the group of officers involved in the arrest, at times watching the arrest process, and finally out of camera view towards the rear yard (*316 Colorado Ave Berke USB/ch0620171021-222942-224634-101000000000, Time 10:29:44-10:30:12*).

The undersigned Sergeant has determined, based on the statement of Officer Joseph Cruz coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Joseph Cruz has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

47. Police Officer Stephen Silva

Summary of Official Explanatory Report authored by Officer Stephen Silva

On October 21, 2017, the following statement was written and signed by Officer Stephen Silva the statement was addressed to his supervisor Lieutenant Sapiro. This statement was dated 10/21/17 and documented Officer Silva's account of his conduct with Mr. Carmelo Mendez while he was in booking on 10/21/17 after Mr. Mendez was arrested at 316 Colorado Avenue and transported to booking.

"To: Lt. R. Sapiro
Thru: Sgt. J. Long
From: P/O S. Silva
Date 10/21/17
Re: Carmelo Mendez

Sir,

On 10/21/17, I assisted with the transport of Carmelo Mendez, one of several prisoners from the scene of a 10-32 / Officer Needs Assistance call on Colorado Ave. Mendez was placed in the group holding cell in booking due to the sudden influx of a large number of prisoners. During the processing phase of the arrest, I went to speak to Mendez to acquire his pistol permit information (Mendez was in possession of a firearm at the time of his arrest). Mendez, who had been compliant during the processing phase, agreed to allow me to take his wallet from his jacket pocket through the cell bars. As I examined his gun permit card, I heard the sudden sound of an impact against the floor and looked up to see that Mendez had apparently lost consciousness and fallen backwards against the cell floor. AMR medics, who were already on scene to treat prisoners for prior injuries (including a facial laceration for Mendez) were immediately granted entry to the cell by the on-duty CDOs and began to treat Mendez. Mendez became semi-conscious moments later and was transported by the medics to the hospital."

Summary of Police Report authored by Officer Stephen Silva

On 10/21/17, R/O was on routine patrol on Sylvan Ave when P/O N. McLaughlin (B11), who was responding to a noise complaint at 316 Colorado Avenue, broadcasted that she was in need of backup at her location. I immediately began to make my way to the scene. While en route, an update was broadcasted via radio upgrading the incident to a 10-32 emergency, Officer Needs Help. I continued to respond to the scene, arriving after several dozen other units. As I arrived and followed other accompanying officers into the backyard of this address, I noted several parties already in custody being removed from the backyard. Several of the officer's present began to issue orders to the people present in the backyard, stating that they needed to shut down the party. I observed one male, later identified as Carmelo Mendez, physically resist arrest by wrenching his arms free as several officers attempted to detain him. Mendez was guided to the ground as he continued to physically resist arrest, failing to comply with orders to place his hands behind his back. At this point, my view of Mendez was obstructed by several officers who were physically restraining him. I then heard one officer shout, "He has a gun!" I drew my taser and placed it against Mendez's shoulder area with the intent to perform a drive stun if he did not immediately comply, however he was quickly secured in handcuffs, and his handgun was removed from his person, and I replaced my taser to its holster without having deployed it. After Mendez was stood up and searched, P/O A. Szeps (B15) and I guided Mendez by his arms to my patrol vehicle, where he was detained and transported to booking.

Summary of statement given by Officer Stephen Silva, Summarized by Sergeant John Burke, Officer Silva stated the following among other things:

On December 11, 2017, the undersigned Sergeant conducted a taped interview, numbered 6007, with Officer Stephen Silva at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview was part of an internal investigation initiated by the Chief of Police Armando J. Perez to investigate an incident which occurred at 316 Colorado Avenue on October 21, 2017 at approximately 22:00 hours. The interview was conducted by the undersigned Sergeant and Sergeant John Burke. Also present during the interview was Union Steward Officer Bruno Rodrigues.

Officer Stephen Silva was read his Garrity warring, it was explained, the interview was for administrative purposes only and as a public servant he was obligated to answer questions relative to his employment. Officer Stephen Silva stated he fully understood his rights and responsibilities and further swore his oral testimony given or written statement made concerning the case in question would be the truth, the whole truth and nothing but the truth subject to pains and penalties of perjury or false statement.

The following is a summary of the statement given by Officer Stephen Silva. Officer Stephen Silva stated amongst other things he has been a police officer for one year and nine months. He is presently in the patrol division working on the C shift between the hours of 16:00 and 24:00 hours in Amber 27 as a solo unit and his immediate supervisor is Sergeant Jeff Long.

Officer Stephen Silva stated amongst other things his involvement was as follows; At the time the call came in he was on patrol on his post, the north end of the city, somewhere in the Trumbull Avenue area, when, the units who were already on scene at Colorado Avenue asked for assistance for a noise complaint. He started heading in that direction not yet going code until moments later when a 10-32 officer assistance emergency was broadcasted. At that point he went on the highway and started making his way to the scene of Colorado Avenue. When he arrived, there were maybe a few dozen police vehicles already on scene and thought he might have been one of the last to arrive.

Officer Silva parked his vehicle as best he could, it was a pretty crowded street and started looking for the flow of Officers into the backyard through the driveway. He started to approach where he saw them and the activity and entered the backyard through the driveway. There were a few dozen Officers already on scene from the street, to the sidewalk, through the driveway, to the backyard. He believed a few people were being escorted out in handcuffs. He walked into the backyard towards the rear part of the yard. Most of the people attending the party were congregated and the atmosphere was hostile. They were swearing and being belligerent verbally hostile towards the Officers. The Officers were being recorded from at least a few cell phone cameras. There were several individuals mostly males directing their aggression towards the Officers. Officer Silva wasn't familiar with exactly what had prompted the evolution from a noise complaint to a 10-32 but he stood by and waited for directions or prompting from other Officers or supervisors that were on scene.

Officer Silva states he was watching the crowd and making sure there was no opportunity for violence. He was not sure how much time transpired but eventually someone made the decision about one male in particular, was going to be placed under arrest. *Officer Silva thought when the Officers went to approach him (Carmelo Mendez) to try to physically detain him, he began to resist. Officer Silva did not recall whether he (Carmelo Mendez) threw strikes or just physically resisted by way of non-compliance, dead weight. He (Carmelo Mendez) was taken to the ground by a few officers. Officer Silva explained there were enough officers on or around him (Carmelo Mendez) that he almost could not see him (Carmelo Mendez) when he was on the pavement in the driveway.*

Officer Silva pulled out his handcuffs to try to handcuff him (Carmelo Mendez) but there were so many officers moving around, so many bodies that his handcuffs fell to the ground somewhere. Officer Silva believed his handcuffs were used by another Officer to put him (Carmelo Mendez) in handcuffs. Officer Silva did not recall whether he was already handcuffed or in the process of being cuffed he assumed he was in the process of being cuffed.

Officer Silva explained when one of the Officers, not sure who, yelled "He has a gun" the rest of the Officers including himself echoed that statement as they were trained to do. "Gun, gun, gun." *At that point Officer Silva drew his Taser, removed the cartridge from it, and placed it against his (Carmelo Mendez) shoulder area. Officer Silva stated it was the only area he could reach on his body (Carmelo Mendez).*

Officer Silva stated his intention was to dry stun him (Carmelo Mendez) in case he failed to yield, and possibly tried to reach for the weapon, it proved to be unnecessary. *He (Carmelo Mendez) was handcuffed a short time after that. Officer Silva returned the cartridge and returned the Taser to its holster. Officer Silva believes he and Officer Szeps escorted him (Carmelo Mendez) back to the street into Officer Silva's vehicle. (Page 4, line 148-152) He (Carmelo Mendez) was stored for a few minutes until the street had cleared. Officer Silva indicated that all the parties that needed to be detained were detained and he made his way to booking with him (Carmelo Mendez).*

When they arrived at booking he brought a few of the prisoners into booking through the man trap. They used the larger holding cell at the forward part of booking to hold them because of the large volume of people that were coming in. Officer Silva did not recall exactly how many there were he estimated at least six, but he was mostly involved with one (Carmelo Mendez) who had the gun, he, and a few others, were kept in that holding cell.

Officer Silva stated the individual (Carmelo Mendez) who had the gun recovered from him was actually the more cooperative. Officer Silva recalled another individual (Fernando Morales) wearing a Superman t-shirt and thought it might have been a Halloween party. At the time he (Fernando Morales) was among the more belligerent ones who was threatening them, swearing and being belligerent when they were in holding cell. There was another individual as well, a shorter stockier one who had a prior leg injury (Peter Diaz). Officer Silva states he may have been in a wheelchair when he was on Colorado Avenue, but he had some sort of pre-existing injury to his leg. These two of individuals were being the most aggressive and disruptive towards them during the booking processes.

Officer Silva stated he started to process the individual (Carmelo Mendez) who had a gun recovered from him he was more or less cooperative. [REDACTED]

1 - CGS Sec. 29-28(d)

1 - CGS Sec. 29-28(d)

Officer Silva said he may have been moving back and forth in booking, it was somewhat of a chaotic scene. At one-point Officer Silva states he was standing directly at the bars of the large holding cell speaking to him (Carmelo Mendez) who was on the other side. Officer Silva stated this is when he was [REDACTED] Officer Silva had his attention focused down at his notepad and heard a loud thudding sound. He (Carmelo Mendez) had fallen backwards and apparently lost consciousness. Officer Silva stated the medics were already on scene in booking at the time.

1 - CGS Sec. 29-28(d)

Officer Silva immediately called for them to assist and they promptly came. They opened the cell door to treat him (Carmelo Mendez). Officer Silva thought he regained consciousness or was somewhat lucid a few moments and was taken to the hospital.

Officer Silva then spoke about the male with a prior leg injury (Mr. Peter Diaz). He was being processed at the counter by Officer Lattanzio and he was one of the most belligerent and disruptive ones even in spite of leg injury. He seemed to be intoxicated just based on attitude, behavior and his statements towards them. Officer Silva approached him (Peter Diaz) and tried to speak to him in a low voice to try and redirect his attention maybe calm him down a little bit, try to make him understand that they had to get these processes out of the way before anything else could transpire, before he could be booked and bonded.

Officer Silva tried to speak to him (Peter Diaz) in a low voice very close, face to face to try to redirect his attention but he did not seem to be having any of that. Officer Silva believed it was at this point he spat towards Officer Lattanzio. Officer Silva did not recall whether or not the spit struck Officer Lattanzio or where. Officer Silva saw Officer Lattanzio lash out with one of his hands towards the prisoner (Peter Diaz) immediately after being spat upon. Officer Silva did not know whether it was an open or closed hand or how many times he struck but it was most likely just once. Officer Silva stated he got in between them (Officer Lattanzio and Peter Diaz) and tried to move the prisoner back. This would have been back towards the door which leads to the general holding to create some distance between himself and Officer Lattanzio.

At this point the male with the injured leg (Peter Diaz) slumped backwards. Officer Silva believed he did not fall and strike the floor. They guided him (Peter Diaz) down to the floor his eyes were closed, and he didn't immediately respond. Officer Silva and some of the CDO's started to attend to him, someone, a CDO or one of the prisoner's friends who was being escorted out in the same area said something to the effect of, he was faking it, he was faking being unconscious. Officer Silva believes he (Peter Diaz) became a bit more lucid a few moments after that and they guided him towards the back to his cell. Officer Silva believed he was also still handcuffed at the time because when he was brought into his cell he was laid down on the bed in there.

Officer Silva specifically recalled he spoke to him (Peter Diaz) and told him that he would remove his handcuffs but when he removes the handcuffs he wanted him to grip the bar of the cell for safety purposes so that he wouldn't lash out at him. He (Peter Diaz) said something to the effect of "Fuck you, I won't listen to what you say." Officer Silva tried to reason with him for a few moments, but he refused to, he said that he wouldn't follow his directions when he took the cuffs off. Officer Silva decided to leave them on and the CDO said that was fine they could be left until later. The cell door was locked with his handcuffs still on. At that point Officer Silva went back to the other male who had the gun (Carmelo Mendez) recovered from him but he had already been transported by the medics. Officer Silva finished what he could with his processing and went to the back to write what paperwork he needed in an addendum.

Officer Silva was asked was asked if he had seen injuries on Mr. Carmelo Mendez. He said, yes, he believes he had, but he could not specifically recall, there was one laceration maybe above his eyebrow or his forehead he may have had more, the laceration was the one that stood out to him.

Officer Silva was asked what a 10-32 meant to him, he stated it was an Officer initiated emergency and he has heard that called on one or two prior occasions.

Officer Silva was asked what he saw when he turned onto the street (Colorado Avenue). He said he saw several dozen police vehicles already in the street parked wherever they could find space, all the lights on. There were people already being escorted out and he believed they were handcuffed. The scene when he arrived was hostile and somewhat chaotic and he did not recall whether the music was still on.

Officer Silva was asked if he saw a video of the incident he said no. Then stated actually he did briefly, the day of or a day or two later. Sergeant Pribesh showed them a video on some social media site at the patrol lineup, of the incident. It was very brief, and he did not examine it specifically. She held it up on her cell phone to them as they were sitting there, so he did not get to see anything that would give him any more information then he already had from his own response. Officer Silva was asked if he was intrigued as to look at the video to see what happened he said no, it did not intrigue him at all.

Officer Silva was asked how many people he thought were at the party, he said approximately three dozen and know they must have been outnumbered and he did not see any children.

Officer Silva was asked if at any point he felt he was in immediate danger, he said at the time he went on scene, things were relatively under control and seemed to be re-establishing order. He felt he was in danger when someone shouted gun.

Officer Silva was asked if at any point he went hands on with anyone, he said, no, he believe his only contact was a placing his Taser against him, excluding guiding him by the arms back to his vehicle after he was handcuffed. Officer Silva was asked if saw any Officers get assaulted he said no.

Officer Silva was asked if he saw any Officers go hands on with anyone. He said, yes there was a group of officers, he could not say how many, on top of a Mr. Mendez when he was being handcuffed on the ground. Given that there was so many, his vision, was obscured, he could not see exactly where their hands were or what their hands were doing to him.

Officer Silva was asked if his vision was obscured because there were officers involved or on top of this individual and if at any point did he get into that mix and get deep inside pile. He said, no the closest he got was reaching through the only gap he could find to place his Taser against him.

Officer Silva was asked if what he was saying was that his arm was the only thing that was able to go in and not his body itself he said, yes. He was asked you were never on top of him, he said correct.

Officer Silva was asked what Officers he could remember that were in that vicinity he said, at this point, it's been so long, that he could only mention a few names. He knows K-9 Mullenax was present, Officer Szeps, Officer McLaughlin and as far as everything else, there's such a mob of us that he could not look for individuals and he could not recall. Officer Silva was asked if Officer Mullenax's dog got him he said he thought he may have nibbled him a bit.

Officer Silva was asked if he saw Detective Fortes in the pile because Detective Fortes was right in front of him he said he did not specifically recall, he could not even picture his face to be honest, and he is not familiar with too many Detectives. It was explained to Officer Silva, Detective Fortes was a black, bald Detective; Officer Silva said he did not recall him.

Officer Silva was asked if he recalled anyone asking for a baton he said no. Officer was asked if he had received anything from anybody on scene or if anyone had handed him anything he said no. Officer Silva was asked if he had trouble recalling things, he said somewhat there has been a lot of time transpired between then and now. It's possible he had forgotten some of those things, but this is as accurate as he can recall.

Officer Silva was asked if he remember seeing Sergeant Scillia on scene because he was standing right next to him, he said yes. He was asked if he recalled what Sergeant Scillia was doing he said no he recalled his face among the crowd he did no remember exactly what action he was taking.

Officer Silva was asked if he recalled what Officer Szeps was doing he said Officer Szeps was among the Officers who were handling Mr. Mendez when he was on the ground. Officer Szeps may have been the one to handcuff Mr. Mendez, Officer Silva was not certain. Officer Szeps helped him guide Mr. Mendez back to his vehicle once he was handcuffed.

Officer Silva was asked if while taking Mr. Mendez to the car there was an issue with Mr. Mendez's chain around his neck, he said Mr. Mendez may have asked them to remove a chain from his neck a very vague recollection of that, maybe he did not want it to be lost or damaged.

Officer Silva was asked if anyone grabbed his chain from his neck, he said someone may have taken it from around his neck. Officer Silva was asked if he was to the right or left of Mr. Mendez while escorting him he said he did not recall, he did not know whether he had his right arm or left arm. He knows Officer Szeps had one and he had the other. Officer Silva was asked if Mr. Mendez gave him a hard time on the way back to the car he said he believe by the time they were walking him to the car he was more or less compliant. Officer Silva stated he did not know where Mr. Mendez's gun, but Mr. Mendez was asking them what would be done with his gun. Officer Silva did not recall any one saying, this gun looks better on me you're never getting your gun back. He was asked if he had said this, he said no.

Officer Silva was asked if he saw anyone strike Mr. Mendez he said no. He was asked if he saw injuries on Mr. Mendez he said yes, they may have been gotten when he was on the ground with Officers on top of him, might have been friction injury. It's possible that he was struck when there was Officers in front him obscuring his vision, but he could not say for certain.

Officer Silva was asked what a friction injury was he explained it was an injury of his skin, rubbing against the ground, the pavement. He had assumed that maybe that is how he had sustained those cuts as opposed to a strike. Officer Silva was asked if he saw anyone strike Mr. Mendez with a boot, he said no, kick him, he said no, punch him he said he believe someone actually struck him sometimes, now that he was recalling more specifically, someone delivered a few he believe, closed hand strikes to him, when he was on the ground. He thought this was when it was first shouted that he has a gun. He thought there was some compliance strikes delivered to him when he was on the ground, but he could not recall who did the compliance strikes. Officer Silva was asked if he saw anyone knee him he said no. Officer Silva was asked if he saw anyone place knees on him to control him he said not specifically but most likely given there were several Officers on him he is sure someone had their knee on him. (Page 15-16, line 653-686)

Officer Silva was asked, did you see when Mr. Mendez was handcuffed he said he could not see it directly. He stated Mr. Mendez was laying on the ground and he was on his left side, not standing over him but to the side of him. Officer Silva was asked to explain where the hand of Mr. Mendez was when he stated, again his view of Mr. Mendez's hands was obstructed by all the Officers in front of him and he had a hard time even getting close. He then stated they may have been underneath him but again he was not certain of that.

A copy of Officer Silva's report was brought to his attention, (I observed the male who later identified as Carmelo Mendez physically resist arrest by wrenching his arms free after several officers attempted to detain him) Officer Silva was asked if he saw this. Officer Silva stated this was when Mr. Mendez was still standing; the strikes that were delivered to him if it wasn't clear were delivered to him when he was prone on the ground, after he was taken to the ground when it was observed that he had a gun on him. Officer Silva stated it took approximately 30 to 45 seconds to hand cuff Mr. Mendez. Officer Silva stated that he was able to see when Mr. Mendez's handgun was removed from his person and thought that might of taken place after he was handcuffed and believed they had removed the gun from his waist area on the right side. (Page 16, line 706-748)

Officer Silva explained that he was closer to Mr. Mendez's head area and as the Officers thinned/back away somewhat he was able to see. Officer Silva was asked if there were a few Officers left around after the other had backed off he said yes. He was asked if he recalled any Officer reaching down to Mr. Mendez while he was handcuffed on the ground he said he did not.

He was asked if he recalled who picked Mr. Mendez up, Officer Silva said he believe he helped Officer Szeps get him up off the ground. He did not know if they had any assistance, but it was Officer Szeps and him and who walked Mr. Mendez back to the car. He recalled that the gun was a small handgun with silver finish.

Officer Silva was asked if he heard any Officer telling Mr. Mendez to stop resisting he said he did not specifically recall that but naturally he would assume it was stated. Officer Silva stated Mr. Mendez wrenched his arms free when they first went to approach him when he was standing. While on the ground he believed Mr. Mendez was offering physical resistance which is why so many officers went on top of him to limit his movement. *Officer Silva was asked if he was sure that Mr. Mendez was resisting or if he did not know and was asked to answer either yes or no to the question he said, he did not know. (Page 18, line 801-805)* Officer Silva was asked if he was positive he did not hear someone ask for a baton or see anyone hand the baton over or tell an officer it's on my gun belt take it off. Officer Silva said he did not recall it. Officer Silva was asked if he struck Mr. Mendez he said no.

Officer Silva was asked once he backed away from Mr. Mendez, still on the ground handcuffed, if anyone handed him anything. He said he did not believe so no, he did not recall anyone handing him anything. He was asked if anything fell from his gun belt he said no. Then stated he believe he dropped his cartridge when he removed it from his Taser, but he recovered that after he was in handcuffs.

Officer Silva was asked if he remembered seeing Officer Bobby Hernandez on scene and he said yes, he believed he was one of the first responders there. *Officer Silva was asked if he saw him in the pile with Mr. Mendez he said he could not recall if he was one of those. He was asked if he had seen Officer Stanitis come in and he said yes, he recalled seeing him coming into the driveway and may have been one of the ones who was handling Mr. Mendez but he could not be certain.*

Officer Silva was asked about the video he was shown by Sergeant Pribesh. He said a day or two later she came to patrol held up her phone showing a video on some social media site of the incident. He did not get up close to inspect it she was in the doorway and he could not see it up close. It was just a blur of motion and some sound he did not feel like he needed to inspect it since he was on scene already and he know what transpired. Officer Silva states she then said something to the effect of "Be careful because, uh, it's all out there already." (Page 20, line 881) Then said something to the effect our statements that were written in addendums were so far consistent with the complaints that were made after from the people involved.

Officer Silva was asked if the video was in color or in black and white he said he believed it was in color, most likely a cell phone camera but he did not inspect it closely and there was sound, and he heard overlapping voices as a crowd. He was then asked if he had seen any other videos pertaining to this incident he said no.

Officer Silva was asked about while he was on scene once again. He was asked if he had entered the scene with his Taser out he said no he believed he drew his Taser after Mr. Mendez went to the ground. Officer Silva remembered being nipped in the rear by Officer Mullenax's dog. He was asked at that point if he had his Taser out with its light on he said he did not recall. He was asked if he was right handed or left handed he stated he was right handed and carries his Taser on his left side and he does not carry an

asp on his duty belt. He was asked if he carries any striking implements with him he said no. Officer Silva stated that when Mr. Mendez was on the ground he had his Taser in his right hand and placed it against Mr. Mendez placing it on his shoulder and stated it must have been his left shoulder. Officer Silva stated Mr. Mendez was face down, he was asked if Mr. Mendez was looking at him or away, he said Mr. Mendez was facing directly down. He was asked if Mr. Mendez's face was face down into the concrete he said yes. Officer Silva was then asked if he know who was next him when he was doing this he said he did not.

It was explained to Officer Silva that Officer Bobby Hernandez was right next to him and he was asked how long he has known Officer Bobby Hernandez, he said since the academy about a year and a half. He was asked if he has gone to other calls with Officer Hernandez in the past he stated yes a few. *It was then explained to Officer Silva that Detective Fortes would have been right in front of him on the other side of Mr. Mendez then he was asked if he recalled this. He said again he did not specifically recall Detective Fortes being there, it's possible he may have filtered him out looking at uniforms and the suspect.* It was explained to Officer Silva that there was no one else in front of him except for Mr. Mendez at this point and his vision would not have been obstructed. Officer Silva explained the following, he believed there was some other Officers on the other side of him (Mr. Mendez) on the other of his body on the right. He was asked how this would affect his vision he said, well they would have been standing his right side over him slightly, some of them may have been on there knees or squatting down. *Officer Silva was asked what they were doing he said controlling his (Mr. Mendez) limbs. Officer Silva was asked if at this point he saw Mr. Mendez get cuffed he said he did not believe he was able to see the actual action of him being cuffed.*

Officer Silva was asked if Mr. Mendez moved while he had his Taser on him he said he did not know. He was asked if at one point his cuffs fell off his belt he said he believed they fell from his hand they may have fell when he had drawn them from the belt. Officer Silva was asked at the point he drew his cuff if he had his Taser in his hand or not. He said he did not recall. He was asked what hand he draws his cuffs with he said his right. He was asked if he held his Taser in his right hand and he said yes, he usually draws the Taser with the left hand and moves it to the right.

He was asked if he said he had his Taser out he said yes, he was asked if he thought he took his cuffs off before the Taser or after the Taser, he said he believed that would be cuffs first Taser second. He was asked why he took his cuffs out he said to try and lend someone a pair of cuffs to secure his hands. He was asked who he planned to lend them to he said, he was going to try and get close to him (Mr. Mendez) and see if he could do it himself if not hand them to someone who was in a better position, but they fell out of his hand before he could do so.

Officer Silva was asked if he was on the ground when he took his cuffs off he said he did not recall and may have been kneeling. He was asked if he was in a position to cuff Mr. Mendez he said no. He explained at first, he was attempting to handcuff him when those fell out of his hand afterward it was observed he had a gun that when he drew his Taser and prepared for that. Officer Silva was asked when Mr. Mendez was cuffed if his cuffs had been used he said yes but did not specifically recall. Officer Silva remembers recovering the cuffs from Mr. Mendez while in Booking later.

Officer Silva was asked if while on scene he recalls Detective Fortes at all, he said he did not specifically. *It was explained to Officer Silva that Detective Fortes hands him something after Mr. Mendez is cuffed. Officer Silva stated, now that it was mentioned, someone in plain clothes did hand him his cartridge he had removed from his Taser, dropped, to dry stun.* He also recalled that it was a plain clothes Detective, black male. *So that presumably being Detective Fortes that would make sense that he was there in the immediate area around Mendez.* Officer Silva stated that he had not specifically recalled him before as one of the officers who was putting his hands-on Mendez when he was being handcuffed. But given that

he definitely was the one who handed him his cartridge back he recalled that.

Officer Silva was asked where his cartridge fell from he stated he removed it from the Taser, he may have been attempting to put it back in a pocket or just set it aside somewhere while he focused on the suspect. Officer Silva was asked where he was going to set it aside he said anywhere the cartridge itself is not a danger when it is removed from the Taser and his intention was to dry stun he knew he could not use the projectile prongs in a crowd.

Officer Silva was asked to walk through how he handled his equipment. Officer Silva stated he first he removed his handcuffs when he was standing on his (Mr. Mendez) left side to try and move into a position where he could handcuff him or hand them to someone who was in a better position. The handcuffs fell from his hands a few moments later when someone yelled that he had a gun he drew his Taser removed the cartridge and either attempted to set it aside on the ground or put it in a pocket. Either way it did end up on the ground and he removed it because he knew if he tried to deploy it with the cartridge with the prongs he could very well end up hitting one of his own Officers. He removed the cartridge decided to go for an attempt a direct stun and reach through the gap he could find to his shoulder.

Officer Silva was asked if he saw Detective Fortes strike Mr. Mendez now that he remembered who he was he said no. He was asked if he saw what Detective Fortes was doing he said he could not and believed Detective Fortes had his back to him. Officer Silva was told Detective Fortes was right in front of him when he had his Taser he said he did not recall what he was doing. Officer Silva stated that Detective Fortes was in contact with Mr. Mendez, but he did not know exactly what Detective Fortes hands were doing. He believed Detective Fortes had his hands-on Mr. Mendez somewhere, he could not see exactly where.

Officer Silva was asked if he saw Detective Fortes use an asp to remove Mr. Mendez's hands from underneath his body he said he did not recall that. He was asked if he saw him extend an asp he said he did not recall that either. He was asked if he heard an asp being extended he said no.

Officer Silva was asked if he used or saw anyone use unnecessary force he said no. Officer Silva was asked if he used or saw anyone use unreasonable force he said no. Officer Silva was asked if he used or saw anyone use excessive force he said no. *Officer Silva was asked if he noticed any injuries on Mr. Mendez while Mr. Mendez was on the ground. He said not when he was on the ground, but he noted the facial injuries after Mr. Mendez stood up while on scene.* Officer Silva was asked if Mr. Mendez was bleeding he said yes. He stated he noticed that Mr. Mendez had injuries to his face. He stated he did not which side of the face but somewhere above one of his eyebrows something that might have been sustained when skin was in contact with the pavement.

Officer Silva stated he transported Mr. Mendez and Mr. Mendez warned that he had a round loaded in his weapon and Officer Silva told him that they were familiar with how weapons operate that they would make it safe. Mr. Mendez told him this while he was being place in the patrol car. *Officer Silva was asked if he noticed any injuries while putting Mr. Mendez in the patrol car. He said he may have had some other, facial injuries. The one that stood out to him was the one just mentioned, above his eyebrow. He thought the others were shallower and he could not tell us exactly where they were. Officer Silva said yes when asked if he recalled seeing other injuries. (Page 30, line 1342-1349)*

Officer Silva was asked about when Mr. Mendez was taken to the ground if he in any way used his feet or whatever to control him or to start helping to control him he said no.

Officer Silva was asked about his handcuffs when he tried to handcuff Mr. Mendez but he could not. Officer Silva stated he could not get his hands no. He was asked if he was going to hand his cuffs off to

another officer he said yes. He was asked do other Officers carry their own handcuffs he said yes but their hands may have been busy, and they might not have been in an advantageous position to draw their own. He was asked, but you could not see that right and said no. He was keeping his options open if he could have handcuffed him himself he would have. And if he could not have then he would see if he could offer them to someone who was on the right side of him maybe who had better control of his other side.

Officer Silva was asked why he did not call medics when he noticed Mr. Mendez's injuries on scene he stated it was a chaotic scene there were still other friends and family members who were there in the backyard and they may have still been outnumbered at that point. They prioritized the transport to booking or we could call medics to come treat him in a more stable environment. Officer Silva was asked if he called for medics on the way or after Mr. Mendez fell he said he did not believe he was the one to call medics and he did not know who made the call.

Officer Silva was asked if he transported Mr. Mendez by himself he said yes, he was asked, so you were bringing an injured party to booking but you were waiting for someone else to call for the medic he said yes. *Officer Silva was asked if he stated that when he arrived at booking he took the cuffs off Mr. Mendez he said yes. He was then asked if Mr. Mendez was cuffed when he passed out. Officer Silva said no his hands were free, he believes he might have removed the handcuffs himself, but his hands were definitely free when he lost consciousness. (Page 34, line 1485-1492)*

Officer Silva was asked if he recalled talking to Mr. Mendez about his gun permit he said yes, he asked him if he could see his gun permit still in his wallet on his person and Mr. Mendez agreed to let him see it through the bars of the cell. Officer Silva was asked if he had to go into Mr. Mendez's pocket to get it he said yes. Officer Silva was asked, if Mr. Mendez was un-cuffed why wouldn't he just hand it to him. Officer Silva stated well he must have been cuffed if he took it from his pocket. Officer Silva the said he thought he recalled him being un-cuffed when he lost consciousness, but he could be wrong about that.

Officer Silva was asked when he brought Mr. Mendez out of the backyard if his car was to the right or the left as he walk out he said it was in the opposite side of the street a little further think that will be north they took a right when they left the house.

Officer Silva was asked if he saw any supervisor on scene he said he saw Sergeant Scillia on scene.

Officer Silva was asked what he did with Mr. Mendez after he placed him in his car he said he transported him to booking. He was asked if when he got to booking if he has walked him up by himself he said there may have been other people with him especially because they were bringing other prisoners.

Officer Silva was asked if on the way to booking with Mr. Mendez if Mr. Mendez complain about any injuries he said he did not recall. He was pretty compliant and when they entered booking he did not give them any problems.

Officer Silva was asked if anyone directed him to write reports or addendums and nine byes he said yes but did not recall which supervisor, but he was directed to write the addendum to the whole incident as well as a nine by for Mr. Mendez when he lost consciousness. *Officer Silva stated he did not complete a use of force and no one told him what to write in his report.*

The following is a summary of several videos which were obtained during the course of this investigation capturing the conduct of Officer Stephen Silva on the October 21, 2017 and October 22, 2017 at the following locations: 316 Colorado Avenue Bridgeport CT, 300 Congress Street Bridgeport CT in the Booking Area and the Report Writing Area in the rear of the booking area.

1. Video Name: **10-21-17 316 Colorado Avenue Berke USB**, this particular video captured several different views of 316 Colorado Avenue. The views/cameras were named ch01, ch02, ch03, ch04, ch05, ch06 and ch07. The data captured by these cameras were stored in segments/files identified by time stamps in military time. The following is a summary of what was captured relative to the conduct of Officer Stephen Silva.

On October 21, 2017 Officer Silva is captured on view/camera ch07, segment 222410-223244 at 10:28:25PM (time stamp on video) arriving from the left side of the house (316 Colorado Avenue) walking towards the driveway.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 2212551-222942 at 10:29:37PM (time stamp on video) watching the take down of Mr. Carlos Mendez.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 222942-224634 at 10:29:54PM (time stamp on video) actively participating in the securing Mr. Carlos Mendez while he is lying on the ground. Officer Silva is on the left side of Mr. Carlos Mendes and appears to be in directed contact with Mr. Carlos Mendes. Officer Silva is also face to face with Detective Fortes who is on the right side of Mr. Carlos Mendes and appears to be in direct contact with Mr. Carlos Mendes. From this point on during the arrest and cuffing of Mr. Mendes Officer Silva's field of vision appears to be unobstructed. To the left of Officer Silva is Officer Bobby Hernandez and to the right of Officer Silva is Sergeant Scalia.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 222942-224634 at 10:30:03PM (time stamp on video) remaining in his position in contact with Mr. Mendes with what appears to be an un-obstructed view. Officer Stanitis squeezes between Officer Silva and Officer Bobby Hernandez kneels and appears to strike Mr. Mendes several times. Officer Stanitis stands momentarily then kneels and strikes Mr. Mendes several more times and walks away. Officer Silva, Officer Hernandez and Detective Fortes maintain their position around Mr. Mendes who is still lying on the ground during the strikes of Officer Stanitis'.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 222942-224634 at 10:30:30PM (time stamp on video) remaining in his position in contact with Mr. Mendes with what appears to be an un-obstructed view and Officer Szeps complete the handcuffing of Mr. Mendes and stands up as does Officer Silva.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 222942-224634 at 10:30:33PM (time stamp on video) remaining in his position now standing over Mr. Mendes with what appears to be an un-obstructed view and Sergeant Scillia appears to strike Mr. Mendes twice.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 222942-224634 at 10:30:36PM (time stamp on video) remaining in his position now standing over Mr. Mendes with what appears to be an un-obstructed view and Detective Fortes hands him something.

On October 21, 2017 Officer Silva is captured on view/camera ch06, segment 222942-224634 at 10:30:44PM (time stamp on video) remaining in his position now standing over Mr. Mendes as Mr.

Mendes is picked up off the ground by Officer Szeps and Sergeant Scillia and Officer Silva grabs the left arm of Mr. Mendes and helps Officer Szeps escort him out to the front of the home.

Video Name: 10-21-17 Booking Desk 4 views with audio, this particular series of videos captures four different views of the Booking Desk Area within the Bridgeport Police Department located at 300 Congress Street. PD1-6 BOOKING DESK BEHIND, PD1-11 BOOKING DESK FRONT, PD1-5 BOOKING DESK SIDE, CITY-PD BOOKING MONEY COUNTER.

On October 21, 2017 Officer Silva is captured on (View/camera PD1-6 BOOKING DESK BEHIND) at 10:48:12 Officer Silva walks in with Mr. Mendes who has visible injuries on the left temple area of his head. Officer Silva places Mr. Mendes in the holding cell while he is still handcuffed.

On October 21, 2017 Officer Silva is captured on (View/camera PD1-6 BOOKING DESK BEHIND) at 10:53:03 Officer Silva intervenes with an argument that is taking place between Officer Lattanzio and arrestee Mr. Peter Diaz who is handcuffed and standing at the booking desk. Officer Silva grabs Mr. Diaz and appears to whisper in the left ear of Mr. Diaz while he is yelling at Officer Lattanzio. Mr. Diaz then spits on Officer Lattanzio while Officer Silva is holding him and Officer Faroni is to the right of Mr. Diaz. Officer Lattanzio then punches Mr. Diaz in the face while Officer Silva is holding him, and Mr. Diaz falls to the ground while handcuffed.

On October 21, 2017 Officer Silva is captured on (View/camera CITY-PD BOOKING DESK MONEY COUNTER) at 10:53:39 with Officer Faroni attempting to pick Mr. Diaz up off the floor.

On October 21, 2017 Officer Silva is captured on (View/camera PD3-7 MALE 7) at 10:57:11 placing Mr. Diaz in Male cell number 7.

On October 21, 2017 Officer Silva is captured on (View/camera PD1-5 BOOKING DESK SIDE) at 11:04:03 speaking with Mr. Mendes who is cuffed in the holding cell removing something from his rear pocket.

On October 21, 2017 Officer Silva is captured on (View/camera PD1-9 HOLDING CELL REAR) at 11:08:39 attempting to remove or loosen the handcuffs from Mr. Mendes who is cuffed in the holding cell.

On October 21, 2017 Officer Silva is captured on (View/camera PD1-5 BOOKING DESK SIDE) at 11:30:19 speaking with Mr. Mendes who is cuffed in the holding cell.

On October 21, 2017 Officer Silva is captured on (View/camera PD1-5 BOOKING DESK SIDE) at 11:31:01 speaking with Mr. Mendes who is cuffed in the holding cell and falls to the floor.

The undersigned Sergeant has determined Officer Stephen Silva has sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

48. Police Officer Joseph Pires

Summary of Police Report # 171021-197 authored by Officer Joseph Pires

Officer Pires reports that while on scene at 316 Colorado Avenue, he observed Officer Michael Stanitis escorting a combative male subject in custody from the premises. Officer Pires relates that the male subject later identified as Fernando Morales was yelling obscenities at officers and was actively resisting against Officer Stanitis. According to Officer Pires, he approached and secured Morales's right arm and assisted Officer Stanitis escort him to an available patrol vehicle.

Officer Pires states that upon arrival to the vehicle, Morales was ordered to place himself against the rear of the vehicle in order to allow officers to open the rear doors and while placing Morales at the rear of the vehicle he began yelling, "Fuck you mother fuckers" and began posturing himself against the vehicle and pushing off against Officers. Officer Pires explains that while he and Officer Stanitis were holding Morales against the vehicle he then began to place his legs against the vehicle and attempt to push off again and he tried to break away from Officers.

Officer Pires indicates that at this point, he grabbed hold of Morales's left arm with both hands by placing his right leg against his left leg and then spin him 180 degrees. Officer Pires states that he then brought Morales down to the ground and placed him on his chest and stomach. Officer Pires continues that while Morales was on the ground, he continued to be combative and yell, "Fuck you." Officer Pires articulates that he held Morales on the ground by utilizing both hands and knee control maneuvers until the vehicle was able to be opened. Officer Pires documents that Officer Stanitis helped secure Morales and then picked up Morales from the ground and secured him in the rear of the vehicle. Officer Pires states that Morales was transported to booking by officer Douglas Bepko. *Note that Officer Pires completed a Use of Force for this incident days after the incident had occurred which was eventually signed off by Sergeant Ivan Delgado on 10/31/18. In addition, Officer Pires does not mention Officer Linet Castillo-Jimenez who also assisted in the placing of Morales inside the patrol vehicle.*

Summary of Police Report # 171021-307 authored by Officer Joseph Pires

Officer Pires reports that while on scene at 316 Colorado Avenue, he heard the sound of a car engine revving up and then observed a blue ford pickup truck swerving around police vehicles that had their emergency lights activated. Officer Pires explains that the pickup truck accelerated towards the officers who were standing outside this location, including him, had to move quickly out of the way of the vehicle in order to avoid being struck. Officer Pires states that he along with another officer signaled with their hands, voices, and flashlights to get the operator, later identified as Jose Rosario, to pull over.

Officer Pires notes that Rosario stopped just short of hitting Sergeant Paul Scillia in front of 327 Colorado Avenue as he was waving for him to pull over. Officer Pires relates that he observed Rosario repeatedly reach down to his right side as he was ordered repeatedly to place his hands on the steering wheel. Officer Pires indicates that he opened the driver's side door and grabbed Rosario's left arm to remove him from the vehicle. Officer Pires documents that Rosario resisted getting out and that he had to forcibly remove Rosario and secure his left wrist and upper arm and order him to place his chest against the vehicle.

Officer Pires conveys that Rosario placed himself against the police vehicle but continued to tense his left arm as he attempted to handcuff him. Officer Pires continues that he secured Rosario in handcuffs (checked for fit and double locked) and placed him in the rear of officer Mathew Johnson's vehicle and was later transported to booking. Officer Pires notes that Rosario's vehicle was secured and towed by Jim's to 1020 Kossuth Street.

Officer Pires writes that while performing an inventory incident to tow on Rosario's vehicle, he found inside the center arm rest console a CVS prescription bottle containing a leafy green plant like substance emitting a strong odor consistent with that of marijuana. Officer Pires states that upon arrival to booking, he tested the plant like substance using Nark test kit 10008 which yielded a positive result for Marijuana/THC. (The substance and container combined weighed approximately 11.5 grams) Officer Pires states that a Use of Force report was completed and submitted to Sergeant Ivan Delgado. According to Officer Pires, Jose Rosario was charged as follows: 14-222 Reckless driving, 14-223(a) Disobeying direction to stop from an officer, and 53a-167a Interfering with an officer. Officer Pires states that Jose Rosario was also issued an infraction ticket for Possession of marijuana less than 1/2 ounce. *Note that Officer Pires completed a Use of Force for this incident on a different day from when the incident occurred, however, because the reports are not time stamped it cannot be determined when the report was written. It should also be noted that Sergeant Delgado signs the cover page for the Use of Force on 10/31/18.*

Summary of statement given by Officer Joseph Pires, summarized by Sergeant Fabio Pereira. Officer Pires stated the following among other things:

This is the summary of the statement given by Officer Joseph Pires. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant John Burke and Union Steward Bruno Rodrigues on December 11, 2017. This interview utilized audio taped log # 6008. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Officer Pires stated that he was working Green 34 on the evening in question. Officer Pires relates that upon his arrival, he observed officers bringing people out from the back of the home that were already in handcuffs. Officer Pires states that he saw Officer Stanitis bringing out a person, Mr. Fernando Morales, that was in handcuffs who was actively resisting and pulling and that he assisted in bringing him to vehicle and to secure him inside.

Officer Pires indicates that when they got to the vehicle, the vehicle was locked. According to Officer Pires, they placed him against the quarter panel of the vehicle in order to open the doors and that upon doing so, Mr. Morales continued resisting and tried turning away from them and tried pushing himself off the vehicle to break away from their grasp.

Officer Pires continued that at that time, Mr. Morales was trying to get his foot up to push off the vehicle and that he had a hold of his left arm at that time. Officer Pires articulates that he then grabbed him and spun him around over his leg and his hip and brought him to the ground chest first. Officer Pires discloses that Mr. Morales continued yelling obscenities like, "Fuck you" and screaming other things and continued to try and pull away from his grasp. Officer Pires stated that he had to use knee controls to hold Mr. Morales onto the ground. Officer Pires states that Officer Stanitis then opened the vehicle and then came over and assisted in getting Mr. Morales up off the ground and they placed him inside the rear of the vehicle. Officer Pires noted that he did not strike Mr. Morales nor was he injured as a result of being taken to the ground.

Officer Pires states that once they got Mr. Morales inside the vehicle, they were trying to determine whose vehicle it was so that they could get the road cleared and have people begin to be transported to booking. Officer Pires imparts that once they determined that it was Officer Douglas Bepko's vehicle, he stood by until the incident began calming down and everybody started heading to booking.

It should be noted that Officer Pires did not mention at any time in his statement that Officer Linet Castillo-Jimenez was present in the interaction with Mr. Morales. Officer Castillo-Jimenez related in her statement that she made sure that Mr. Morales didn't slam his head against the ground. Officer Castillo-Jimenez added that she had grabbed Mr. Morales by the chest and put him on the ground and that she held him by the chest, so he can stop moving and told him to stay quiet. *Please see Officer Castillo-Jimenez's incident report and statement for full details of her involvement.*

Officer Pires states that he then helped escort the DJ back to get his equipment at which time there were family members around. Officer Pires expresses that at that point, he just wanted to help him get to the backyard safely without incident and at the time since it was unknown to him if he was in danger given the situation and how it erupted. Officer Pires states that he escorted him to the back and the DJ started to break down his equipment and made his way back to the road. Officer Pires reveals that while on scene, he observed a group of people pushing an empty wheelchair down the street away from the property.

Officer Pires states that while still on scene he heard the sound of an engine revving and then observed a truck picking up speed and swerving around the police vehicles which had their lights activated and making his way up towards the street. Officer Pires relates that he along with several other officers had to jump out the way of this vehicle and that they were signaling the vehicle with their flashlights and yelling at the driver to stop.

Officer Pires reveals that the vehicle came to a stop just past the house and that he and several other officers approached the vehicle and observed the driver moving around the vehicle. According to Officer Pires, the driver Mr. Jose Rosario, was ordered to keep his hands on the steering wheel and that he could see him constantly reaching down to his right side. Officer Pires states that he ordered Mr. Rosario out of the vehicle and he was non-compliant. Officer Pires continues that he then opened the driver's side door and ordered him out of the vehicle again, however, Mr. Rosario did not comply. Officer Pires states that he then grabbed him by his left arm and removed him from the vehicle and placed him against the police vehicle that was right next to them and placed him in handcuffs.

Officer Pires notes that he was the only one that removed Mr. Rosario from the vehicle and that there were other officers nearby but because it was a tight space between the vehicle, there was only room for himself and nobody else was able to get in there. Officer Pires indicates that when they searched the vehicle they found marijuana. Officer Pires states that Officer Linet-Castillo-Jimenez remained on scene with him and assisted with the tow sheets and tow. Officer Pires exclaimed that he does not remember whether the pick-up truck was moved from its original position from where Mr. Rosario was removed. Officer Pires declares that Mr. Rosario was not injured in the incident and that completed a Use of Force for this incident, and according to him, he, "Uh, I believe I completed everything that night. If not, it was handed in - and, uh, completed the next morning or the, uh - the next day for next shift. But it was all within, uh, the timeframe." (Pires 440-442)

Officer Pires notes that he observed Sergeant Stacey Lyons, Sergeant Paul Scillia, and Sergeant Sean Lynch. Officer Pires indicates that after the vehicle was towed, he went to Booking to begin processing his motor vehicle arrest. According to Officer Pires, while at booking he did not observe any altercations between the officers and any of the prisoners.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Pires.

By reviewing this video footage, Officer Pires is seen under Channel 7 at 10:32:51 walking towards the front of the house. Officer Pires then walks to the backyard with the DJ and stands by as the DJ is breaking down his equipment. At this point, there are only a few civilians around and several officers on

scene, however, during Officer Pires time in the backyard, there is nothing significant that occurs. This can be seen under Channel 6. Still under Channel 7, the viewer can observe Officer Pires walk out with the DJ to the front of the house at 10:37:41. At 10:38:40 Officer Pires is standing in the street behind a parked vehicle right in front of the driveway of 316 Colorado Avenue, while Sergeant Stacey Lyons is speaking with Sergeant Jeffrey Long who standing in the street next to a parked car. The viewer can then see a vehicle traveling North on Colorado Avenue at a high rate of speed which nearly hits Sergeant Lyons and Sergeant Long who are hugging each other. ***Note that Officer Pires indicated in his statement that he, as well multiple officers, had to move out of the way of the vehicle to avoid being hit. However, he was not in standing in the street at the time and neither did he, or Sergeant Lyons, or Sergeant Long have to jump out of the way of the truck, as he stated. In fact, Sergeant Lyons does not observe the vehicle right until it is close to her and Sergeant Long has his back to the pick-up truck because Sergeant Lyons is hugging her.*** In addition, Officer Pires states that the pick-up truck had to swerve around the police vehicles which had their emergency lights activated. In the video the viewer can see that there are several police vehicles with their police lights on to the South of the house on Colorado Avenue, however, a viewer cannot see the pick-up truck swerving around the vehicle. Sergeant Lyons and Officer Pires quickly walk towards the vehicle who is out of the camera view. Channel 3 which would have caught the arrest of Jose Rosario does not work. It should also be noted that Officer Pires documents in his report that the vehicle stopped just short of hitting Sergeant Scillia, however, this cannot be confirmed through Channel 3 since it does not work or Channel 1 which catches only a little bit of the front of the vehicle.

Under Channel 1 which records the North side of Colorado Avenue, the pick-up truck is moved by Sergeant Scillia at 10:40:17 North of the incident location which now captures the vehicle. Note that Officer Pires related in his statement that he did not recall anyone moving the vehicle, however, a viewer cannot see Officer Pires around the vehicle when it is being moved. At 11:03:42, a viewer can see a group of people that were in the party carrying the wheelchair away and loading it into a vehicle. Officer Pires stands by the vehicle along with Officer Linet-Castillo until the tow truck arrives on scene at 11:05. The vehicle is loaded onto tow truck and taken away at 11:08:40 and the Officers leave the scene.

Note that Officer Pires mentions seeing Sergeant Lynch was on scene, however, Sergeant Lynch is not on the roster for the day in question nor is he seen anywhere in the video footage that this Office has acquired.

Summary of Booking Video capturing the conduct of Officer Pires

By reviewing the Booking footage, Officer Pires is seen walking in to the Report Writing Room at 11:25:15. Officer Pires at one time goes to the Booking desk at which time, Mr. Mendez is being treated inside the Holding Center by the medics from his fall. The rest of the time, Officer Pires spends most of his time in the report writing room and then leaves Booking at 04:11:51 on October 22, 2017.

The undersigned Sergeant has determined, based on the statement of Officer Joseph Pires coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Officer Joseph Pires has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

Total Number of Redactions: 14

By Exemption:

"Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 7 instances

"Personal Information" (CGS Sec. 42-471): 3 instances

"Federal Violence Against Women Act of 2005" (Federal VAW Act): 2 instances

"HIPAA" (HIPAA): 2 instances

By Page:

Page 29 - "Personal Information" (CGS Sec. 42-471): 2 instances

Page 29 - "HIPAA" (HIPAA): 2 instances

Page 34 - "Federal Violence Against Women Act of 2005" (Federal VAW Act): 2 instances

Page 38 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 3 instances

Page 82 - "Personal Information" (CGS Sec. 42-471): 1 instance

Page 87 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 3 instances

Page 94 - "Names and addresses of persons issued a permit to sell pistols/revolvers, or temporary state permit to carry pistol/revolver, or state local permit to carry pistol/revolver" (CGS Sec. 29-28(d)): 1 instance

49. Civilian Detention Officer Sylvia Firpi

Summary Explanatory report authored by Detention Officer Sylvia Firpi

On October 22, 2017, Detention Officer Firpi reports that due to the high volume of prisoners that had come into Booking minutes before prior to shift change, things were chaotic. Detention Officer Firpi notes that the following sequence of events happened to the best of her recollection. Detention Officer Firpi documents that she decided to help an officer with the intake of a prisoner and heard a thud coming from the holding cell and as she looked back, she observed that Carmelo Mendez had collapsed while handcuffed. Detention Officer Firpi states that she called his name a couple of times and he immediately became responsive. Detention Officer Firpi indicates that she properly handcuffed and shackled Carmelo Mendez for immediate transport to [REDACTED] 2 - HIPAA

Summary of statement given by Civilian Detention Officer Sylvia Firpi summarized by Sergeant Fabio Pereira, Detention Firpi stated the following among other things:

This is the summary of the statement given by Detention Officer Sylvia Firpi. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant John Burke on March 14, 2018. This interview utilized audio taped log # 6034. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Detention Officer Firpi stated that she was working in the night in question with Detention Officer Jose Figueroa and that her shift was from 2300 hours to 0700 hours. Detention Officer Firpi relates that when she walked into Booking, there were a lot of officers there and that the medics were also on scene. Detention Officer Firpi indicates that there were a lot of people in Booking, holding cells, and the processing area where the fingerprint machine is.

Detention Officer Firpi described Booking as very chaotic and that there was a lot of screaming and yelling and remembers questioning someone as to why there were so many people out and why, was the situation, not controlled. Detention Officer Firpi remembers patting someone down and helping the officers with the arrest cards and taking over so that the prior shift could leave. Detention Officer Firpi states that she remembers a female dressed in a Wonder Woman costume.

Detention Officer Firpi expresses that it is not normal to see a situation in Booking like the way it was. Detention Officer Firpi states that there was not a supervisor on scene and believed that there was a confusion with the sergeant. Detention Officer Firpi relates that the medics were there for Carmelo Mendez when she came in and that they were waiting for a police escort. Detention Officer Firpi notes that she observed blood and swelling on his face when he was in the holding cell and she wanted to make sure that the individuals in the holding cell were in the cell block. Detention Officer Firpi indicated that Carmelo Mendez had abrasions on his forehead which were covered in blood and were already there when he came in. (Page 8, line 333)

Detention Officer Firpi states that while at Booking, she heard when Carmelo Mendez collapsed to the ground while he was inside the holding cell. Detention Officer Firpi conveys that she went in there and uncuffed Carmelo Mendez and attempted to get some vitals, but that he became responsive right away. According to Detention Officer Firpi, it is not uncommon for someone to be handcuffed in the holding cell if they have not been patted down and she stated it was for a safety reason. Detention Officer Firpi

reports that she repositioned the handcuffs to the front because they were behind his back. Detention Officer Firpi indicates that they shackled him, and he was sent off to the Hospital.

Detention Officer Firpi stated that she remembers Detention Officer Figueroa speaking about one of the prisoners, Peter Diaz, being a distant relative of the family, but that he does not associate with him because he is a problem child. Detention Officer Firpi contends that she cannot remember or pinpoint anything in particular about Detention Officer Figueroa or Sergeant Paul Scillia. Detention Officer Firpi explained that it was just the two of them and between the phones, the door, and the officers it is hard to remember anything in particular.

Detention Officer Firpi relates that she remembers speaking to Peter Diaz who was in cell 7 and that he had a leg injury. Detention Officer Firpi notes that she spoke to him to find out what had occurred, but that he was non-compliant. Detention Officer Firpi states that she cannot recall the medics wheeling Peter Diaz out in a wheelchair or Sergeant Scillia saying anything to him.

Detention Officer Firpi claims during her interview that she does not recall Sergeant Scillia explaining to Detention Officer Figueroa how he accidentally hit Peter Diaz in the face because he pulled the belt buckle or that he accidentally hit Peter Diaz's bad ankle as he walked in front of him.

According to Detention Officer Firpi, she was running the desk the day in question and was not doing any of the processing. Detention Officer Firpi states that normal procedure would be to take a picture of the left, front, and right side of the individual. Detention Officer Firpi relates that they would take additional photos for tattoos and if there are injuries on other parts of the body. Detention Officer Firpi indicates that a reason that the pictures would not have been taken is that it could have been a camera malfunction, or the person went to the Hospital and did not take the pictures. Detention Officer Firpi also notes that the individual could be non-compliant. Detention Officer Firpi notes and that it is part of their training to take all the pictures.

Detention Officer Firpi states that she was directed to write a report by Sergeant Jeffrey Long because Carmelo Mendez had fallen in the holding cell. Detention Officer Firpi conveys that this occurrence and any injuries would also have been documented on the blotter. *(Please see Timeline of the Blotter below)* Detention Officer Firpi indicates that in a normal situation if an officer brings in an individual that has been arrested they will advise them to bring the arrested party to the Hospital, but that they rely on the supervisor who has the final word. Detention Officer Firpi conveys that in her experience if the arrested party has any visible injuries they should go straight to the Hospital and receive treatment.

Summary Timeline of Events of Booking Daily Log 10/21/2017 through 10/22/17
10/21/17: Sergeant Belinkie, Detention Officer Cruz, Detention Officer May

2250: (Entry) Officer Bepko called for Medics 2250: (Entry) At 2250 multiple parties entered booking, 6 males, 2 females from file 297. Peter Diaz and Fernando Morales were combative. 4 males were placed in the holding cell while at the desk Peter Diaz became combative and spat at Officer Lattanzio. Peter was taken down to gain control and was escorted to cell number 7. Peter Diaz was helped to cell due to pins in leg. 2258: (Entry) Medics arrived at Booking Prisoner Carmelo Mendez

2300: Sergeant Jeffrey Long 1st Half & Sergeant Joaquim DeBarros 2nd half, Detention Officer Sylvia Firpi, Detention Officer Jose Figueroa

Approximately 2340 (Entry) Carmelo Mendez collapsed in holding cell was quickly seen by medics who were already there and he came to right away. Officer Paz / Konoval transport Carmelo Mendez to

2 - HIPAA

2345.2319: (Entry) Medics were called for Peter Diaz who claims to

have been punched in the face prior to Booking entry 2350: Medics arrive 2350: Officer Pecirep / Manning arrive and escort medics to [REDACTED] 2 - HIPAA @ 2354 (Later on) was notified that he did not want to be seen at [REDACTED] 2 - HIPAA so was later transferred to [REDACTED] 2 - HIPAA 0324: (Late entry) Officer Konoval / Paz are back from Bridgeport Hospital with Carmelo Mendez and his release papers 0600: Carmelo Mendez is processed under Arrest # 201705603 and charged with: Interfering with an Officer (53a-167a) & Breach of Peace 2nd (53a-181) Bond set at \$5,000 0700: **Sergeant Pribesh / Andrews / Figueroa / Antignani (OT) B-Shift**

Summary of Booking Video capturing the conduct of Detention Officer Firpi

By reviewing the Booking footage, Detention Officer Firpi walks in through the report writing area at 10:59:18 and then walks to the Booking desk. At this time, there are several officers in Booking and Fernando Morales, Carmelo Mendez, Ramon Davila, and Jose Rosario are in the holding cell. Detention Officer Firpi is then seen in the booking desk organizing and putting things in place.

At 11:02:43, Detention Officer Firpi walks over to the holding cell and starts to verify all of the prisoner's information. The medics are on scene and observed speaking to Carmelo Mendez while officers start to process the prisoner. Detention Officer Firpi then speaks to Detention Officer May who is explaining everything to Detention Officer Firpi.

At 11:06:40, Detention Officer Firpi goes to the male cell 7 where Peter Diaz is at and she seems to be asking him question, however, since there is no audio the conversation between the two cannot be determined. ***Detention Officer Firpi relates in her interview that she remembers speaking to Peter Diaz who was in cell 7 and that he had a leg injury and noted that she spoke to him to find out what had occurred, but that he was non-compliant.*** Detention Officer Firpi then goes back out to the Booking desk and is again putting everything in place. Detention Officer Angelique Cruz is also observed explaining about the prisoners to Detention Officer Firpi.

Detention Officer Firpi then walks over the holding cell and asks Carmelo Mendez about him going to the Hospital. Note that the medics are on scene. (11:09:20) The remainder of the time, Detention Officer Firpi is observed putting everything in place and organizing the prisoner's property. Detention Officer Firpi then assists in the processing of prisoner Fernando Morales which includes his property and money.

At 11:31, when Carmelo Mendez falls in the holding cell, Detention Officer Firpi is still processing Fernando Morales. Detention Officer Firpi immediately goes to the booking desk and grabs the key for the holding cell and opens it for the medics. Detention Officer Firpi goes right in the holding cell and starts to call his name and starts to remove his belt. With the help of the medics and other officers, Carmelo Mendez is sat up.

Note that Detention Officer Firpi reported in her interview that she went in there and uncuffed Carmelo Mendez and attempted to get some vitals, but that he became responsive right away. Detention Officer Firpi reports that she repositioned the handcuffs to the front because they were behind his back. Detention Officer Firpi also mentions this in her report, however, the video shows that it is Officer Steven Silva and Sergeant Scillia that remove the handcuffs from Carmelo Mendez who is then brought to the ambulance in a wheelchair.

Detention Officer Firpi then goes back to the booking desk to finish the processing of Fernando Morales. Once Fernando Morales is brought to his cell, Detention Officer Firpi continues with the processing of the paperwork for Booking.

Detention Officer Firpi also goes and checks on the female's cells and checks their information. At 11:51:25 when the medics and Sergeant Scillia and Officer Pecirep goes to the cell # 7 to take Peter Diaz, Detention Officer Firpi is at the Booking desk processing the paperwork for the prisoners.

At 11:54:12, Detention Officer Figueroa comes down to the Booking desk from cell # 7 and is upset about his incident with Peter Diaz. Detention Officer Firpi tells him to come down and at this point, Peter Diaz in by the sally port door in the wheelchair. Detention Officer Firpi walks over to Peter Diaz and asks if there are any shackles and she is advised by the medic that they cannot get it around his leg. Detention Officer Firpi then walks over to the Booking desk and opens the door for the medics and the officers who are bringing Peter Diaz outside to be brought to the Hospital.

While he is being wheeled out through the first sally port doors, Sergeant Scillia tells Peter Diaz, "Have fun Sir, hope you feel better." At this point, Detention Officer Firpi is still holding the door open for the medics and the officers.

Once Peter Diaz is out through the doors, Sergeant Scillia walks over to the boeing desk and stands between Detention Officer Firpi and Detention Officer Figueroa and relates that his hand slipped while securing Peter Diaz seatbelt and that he tripped and hit Peter Diaz's bad ankle.

Detention Officer Firpi is watching the cameras as Peter Diaz is being wheeled and also appears to be reading the Booking blotter and making notes. Detention Officer Figueroa then explains to Sergeant Scillia that he does not hang out with that side of the family and Sergeant Scillia indicates how one of the prisoners is cooperative. Right after, the telephone rings and Detention Officer Firpi answers.

Note that during her statement, Detention Officer Firpi stated that she remembered Detention Officer Figueroa speaking about one of the prisoners, Peter Diaz, being a distant relative of the family, but that he does not associate with him because he is a problem child. Detention Officer Firpi contends that she cannot remember or pinpoint anything in particular about Detention Officer Figueroa or Sergeant Paul Scillia. Detention Officer Firpi explained that it was just the two of them and between the phones, the door, and the officers it is hard to remember anything in particular. Detention Officer Firpi also claimed during her interview that she does not recall Sergeant Scillia explaining to Detention Officer Figueroa how he accidentally hit Peter Diaz in the face because he pulled the belt buckle or that he accidentally hit Peter Diaz's bad ankle as he walked in front of him. Even though the video shows that Detention Officer was next to both Sergeant Scillia and Detention Officer Figueroa, Detention Officer Firpi contends that she does remember the conversation.

At 11:58, Sergeant Long approaches both Detention Officer Firpi and Detention Officer Figueroa and advises them to write a report pertaining to Carmelo Mendez falling inside the cell. Note that Detention Officer Figueroa is the officer that processes Carmelo Mendez. During the rest of Detention Officer Firpi's shift, there is no other unusual occurrence and she is observed leaving Booking at 08:50:55 through the reporting room door. Note that Detention Officer Firpi was scheduled to be off of work at 0700, however, it appears she stays over to write her report to Sergeant Long and to straighten out the paperwork from her shift.

The undersigned Sergeant has determined Civilian Detention Officer Sylvia Firpi has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

50. Civilian Detention Officer Jose Figueroa

Official Explanatory Report authored by Detention Officer Jose Figueroa (Verbatim)

REF: INCIDENT IN BOOKING HOLDING CELL CARMELO MENDEZ

WHILE REPORTING FOR DUTY ON ABOVE DATE AT 2300HRS WALKING INTO BOOKING THERE WERE NUMEROUS OFCS AND PRISONERS ON SCENE AND IT WAS [SIC] CHAOTIC I WASN'T SURE OF WHAT WAS GOING ON AT THE TIME. MEDICS WERE ON SCENE AT THE FRONT OF THE BOOKING DESK THEN ALL OF A SUDDEN, THEY RAN INTO THE HOLDING CELL PRISONER CARMELO MENDEZ COLLAPSED TO THE FLOOR THEN TRANSPORTED TO THE HOSP WITH COVER CAR. NOTHING FURTHER TO REPORT AT THIS TIME.

Summary of statement given by Civilian Detention Officer Jose Figueroa summarized by Sergeant Santiago Llanos, Detention Office Figueroa stated the following among other things:

On March 16, 2018, Sergeant Santiago Llanos and Sergeant Jessi Pizarro conducted a taped interview of Detention Officer Jose Figueroa in the Office of Internal Affairs. *See Detention Officer Figueroa's complete statement for specific details.*

Detention Officer Figueroa has been employed with the City of Bridgeport as a Detention Officer for approximately 18 years. Detention Officer Figueroa stated that on October 21, 2017, he arrived in Booking to begin his shift at approximately 11 o'clock. Detention Officer Figueroa stated he remembers other Detention Officers that were on the C shift, which were Detention Officers Humphrey, Cruz, Firpi, Hector and May.

Detention Officer Figueroa stated Booking was chaotic. He stated he remembered seeing a bunch of Police vehicles on the Booking ramp and a bunch of Police Officers in Booking. He stated the big holding cell was full.

Detention Officer Figueroa stated he went straight to the fingerprint and photograph machine and started to process people, fingerprint and photograph. He stated he recalled seeing the medics, at the front desk, and Detention Officer Firpi was there as well. He stated all of a sudden, they heard someone falling or something like that, and saw the medics, then Detention Officer Firpi running into the holding cell. Detention Officer Figueroa stated he didn't go because there were too many people, so he stood out of the way.

Detention Officer Figueroa stated once the medics and Detention Officer Firpi assisted, Carmelo Mendez, they put him in a stretcher and sent him to the hospital. Detention Officer Figueroa stated continued processing people.

Detention Officer Figueroa stated he went to assist with another prisoner transport to the hospital which was in cell #7 by the name of Peter Diaz who had an injured leg. Detention Officer Figueroa stated he went up there with the shackles, cuffs and the belt. He stated he went up with the medics, Sergeant Scillia and Officer Pecirep.

Detention Officer Figueroa stated they took him out of the cell. They had to get the chair for him because he couldn't walk because he had a broken or fractured or sprained leg. He stated he took him out and sat him in a chair and said, "I gotta try to put these leg irons on your legs." Detention Officer Figueroa stated Peter Diaz looked at him and said, "Why don't you just wrap that chain around your wife's pussy?" (Page

8, line 340-341)

Detention Officer Figueroa stated that kind of upset him. He then pointed at Peter Diaz's chest and said "Listen, I'm (Yvette)'s cousin, you need to fuckin chill." (Page 9, line 361) Detention Officer Figueroa stated he then went around to the opposite side, because he knew his son was there, and he told Peter's son, "Why don't you tell your dad just to chill, because he's just being an asshole right Now" (Page 9, line 368) and Detention Officer Figueroa walked away.

Detention Officer Figueroa stated he did not know Peter as far as that side of the family's concerned because it is what it is with them. He was not sure that Peter knew him. Detention Officer Figueroa stated he then saw Peter's son there, as well, Raymond Davila who told him Peter was his dad. Detention Officer Figueroa stated he did not know Raymond that well, but knew he was that he was his cousin's son, but he never knew that Peter was Raymond's father. Detention Officer Figueroa stated he has seen him in booking before but had no idea that his cousin's son or his cousin's boyfriend at the time.

Detention Officer Figueroa stated after Peter said what he said to him, he was able to put the shackles on his good leg not the bad leg and shackled it to the metal belt part so he does not get up and walk away.

Detention Officer Figueroa stated he told Sergeant Scillia that Raymond Davila was his cousins son but did not know Peter Diaz was his dad. He stated he told Sergeant Scillia Peter had upset him and he was acting like a jerk up in the cells.

When asked Detention Officer Figueroa stated he remembered Sergeant Scillia telling him the strap on the chair (used to transport Mr. Diaz) was not secured and as he secured it for Mr. Diaz he said it slipped as he tried to secure him and pushed his strap, and he accidentally hit him.

Detention Officer Figueroa stated Sergeant Long asked him to write a report regarding what happened. Detention Officer Figueroa stated he wrote that he reported for duty on the above date at 2300 hours, walking into booking there were numerous officers and prisoners on scene and it was chaotic. He wasn't sure of what was going on at the time. Medics were on the scene at the front of the booking desk. Then all of a sudden, they ran into the holding cell. (Carmelo Mendez) collapsed to the floor. The ambulance transported him to a hospital with a cover car. Nothing further to report at this time.

Detention Officer Figueroa stated he did not feel that what happened up in the holding cell wasn't a big of enough incident for him to write about because it's not the first time that someone's told him stuff like that. Detention Officer Figueroa stated when Peter Diaz came back from the hospital they were fine. Detention Officer Figueroa stated he processed him fingerprinted him and photographed him. There were no issues.

When asked how much force he tapped Mr. Diaz in his chest with using his finger, Detention Officer Figueroa stated just a little, like tac-tac, like stop doing what you're doing. He stated he Was trying to calm things down a bit, nothing forceful. A couple touches on his chest and that was it.

The undersigned Sergeant has determined, based on the statement of Detention Officer Jose Figueroa coupled with the facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude Detention Officer Jose Figueroa has violated Bridgeport Police Policy and Procedures/Rules and Regulations.

51. K-9 Police Officer Heriberto Rodriguez

Summary of statement given by K-9 Police Officer Heriberto summarized by Sergeant Santiago LLanos, he stated the following among other things:

On April 21, 2018, Sergeant Santiago LLanos and Sergeant John Burke conducted a taped interview of Officer Heriberto Rodriguez in the Office of Internal Affairs. *See Officer Rodriguez's complete statement for specific details.*

Summary of Officer Rodriguez's statement he stated the following among other things:

Officer Rodriguez stated he has been employed with the City of Bridgeport as a police officer for approximately 21 years and is currently a K9 officer. Officer Rodriguez stated on the night of this incident, (October 21, 2017), he heard over the police radio, a 10-32 (Officer needs assistance) called out. Officer Rodriguez stated he responded. (316 Colorado Avenue) Officer Rodriguez stated he responded from the north end of Bridgeport and he arrived toward the tail end of the incident because it took him a little while to get to the scene.

Officer Rodriguez stated he parked his car and got out with his dog. He stated he found the house, looked down the driveway and saw that Officer Mullenax was already in the driveway with his dog, so he stayed out on the street. Officer Rodriguez stated by the time he arrived on scene, everything appeared to be calm.

Officer Rodriguez stated at one point he observed someone arrested being walk to a police vehicle but could not recall what the individual looked like.

Officer Rodriguez stated he never entered the backyard, nor did he speak to anyone. Officer Rodriguez stated he was only on scene for approximately ten or fifteen minutes and eventually made his way back to the car and put his dog away and left the scene.

The undersigned Sergeant has determined K-9 Police Officer Heriberto Rodriguez has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

52. Police Officer Mario Pecirep

Summary of Official Explanatory Report authored by Officer Mario Pecirep on 10/28/17

Officer Pecirep reports that he was assigned to a hospital detail on 10/22/17 for a prisoner Peter Diaz who had injuries prior to the incident on 10/21/17 in which he was in a wheel chair. Officer Pecirep relates that Peter Diaz told him that he was in a jet-ski accident a few weeks prior in which he broke his leg. Officer Pecirep notes that Peter Diaz was originally transported to [REDACTED] 2 - HIPAA for his possible injuries in which he complained of swelling that wasn't there before. Officer Pecirep articulates that Peter Diaz was at [REDACTED] 2 - HIPAA on 10/20/17 for his injuries to his broken leg. Officer Pecirep documents that while en route to [REDACTED] 2 - HIPAA Peter Diaz made remarks to the AMR staff, calling her a "fat bitch" and telling her not to touch him and that he doesn't want her to treat him.

According to Officer Pecirep, Peter Diaz kept saying that he did not want to go to [REDACTED] 2 - HIPAA and was going to refuse medical attention upon arrival. Officer Pecirep states that upon arrival to [REDACTED] 2 - HIPAA [REDACTED] 2 - HIPAA Peter Diaz refused to be examined and treated by all staff members and insisted on going to [REDACTED] 2 - HIPAA. Officer Pecirep indicates that Peter Diaz was taken to [REDACTED] 2 - HIPAA initially because the other party from the incident was at [REDACTED] 2 - HIPAA already. Officer Pecirep states that he then contacted the booking sergeant and was given permission to have Peter Diaz sent to [REDACTED] 2 - HIPAA [REDACTED] 2 - HIPAA and was then transported to [REDACTED] 2 - HIPAA.

Officer Pecirep conveys that while en route to [REDACTED] 2 - HIPAA Peter Diaz made a remark toward his arresting officer and Sergeant Scillia stating, "I know who that cop was that arrested me, when I bond out, I'm going to find him and whoop his ass, I swear it on my kids." Officer Pecirep adds that he then made the remark, "And that short dude from booking (referring to Sgt. Scillia), I'm gonna fuck him up too." Officer Pecirep noted that Peter Diaz also mentioned that he knew the family of booking officer Figueroa and will come back for him as well.

Officer Pecirep relates upon arrival to [REDACTED] 2 - HIPAA Peter Diaz was met by attending emergency room physicians in which he became verbally abusive towards them by yelling out obscenities and swearing at them. Officer Pecirep explains that a short time later, he was attended by the physician that handled his original injury and that the physician stated that his injuries looked no different from the last time he saw Peter Diaz on 10/20/17.

Officer Pecirep states that Peter Diaz went on to tell him that he knows that our Police Training Academy recruits train at Newfield Park off Newfield Avenue and that he watches them. According to Officer Pecirep, Peter Diaz stated, "it would be a shame if something crazy happen to some cops" and also stated, "if someone were to wage a gun war on cops, we would lose because we would be surprised". Officer Pecirep reports that he asked Peter Diaz what he meant by that and he replied, "Don't worry about it".

Officer Pecirep noted that Peter Diaz has been arrested before for assaults on police officers and that he also claimed that "it's not difficult for him to get a piece." Additionally, Officer Pecirep stated that he kept reiterating that when he gets released, he's going to come back for the cops that arrested him on 10/21/17.

Summary of statement given by Officer Mario Pecirep summarized by Sergeant Fabio Pereira, he stated the following among other things:

This is the summary of the statement given by Officer Mario Pecirep. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant Fabio Pereira and Union Steward Luis Pomales on April 24, 2018. This interview utilized audio taped log # 6062. The Interview was conducted at the Office

of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Officer Pecirep stated that he came in early as he was scheduled to work on the A-shift for car Amber 20 on overtime. Officer Pecirep relates that he came in early and was in the locker room getting changed and heard the call of the 10-32 (Officer needs assistance) on the radio. Officer Pecirep states that he then got the closest A-shift car and went to Colorado Avenue.

Officer Pecirep states that he was one of the last cars to arrive because when he pulled up to Colorado Avenue, the street from mid-block was completely blocked in with patrol and detective cars. Officer Pecirep indicates that he parked at the corner of Fairfield Avenue and Colorado Avenue and walked the rest of the way to the incident.

Officer Pecirep states that he then walked in to the front of the house and there were several bystanders who were video recording and cursing at them and described these parties as a wild crowd and many of them look intoxicated. Officer Pecirep relates that he did not see anyone resisting and heard music playing when he arrived on scene. Officer Pecirep indicated that everyone was clearing out and walking away to clear the scene. Officer Pecirep relates that he remembers seeing a heavy Hispanic male being escorted to a patrol vehicle, but that this individual was not resisting, and he did not observe any injuries. Officer Pecirep states that he then left the scene and went back to patrol.

Officer Pecirep states that later while at patrol he was called to Booking for a prisoner transport. Once in Booking, he met with Sergeant Scillia who informed him that one of the parties that was arrested from the Colorado Avenue incident needed to go to the hospital because he was incapacitated from an injury on his leg.

Officer Pecirep relates that he, Sergeant Scillia, Detention Officer Jose Figueroa, and the medics went up to the holding cell where the Peter Diaz was being kept. Officer Pecirep states that Peter Diaz was extremely intoxicated and that he was slurring his words and was one of the parties that were just constantly cursing and yelling obscenities at them. Officer Pecirep stated that it was not just at the officers but at the detention officers as well. Officer Pecirep conveys that they were attempting to get him into the medical wheelchair and that Peter Diaz was going back and forth with them and the other cellmates that were in the other cells next to him.

Officer Pecirep notes that there was some struggle with him and that he did not want to be touched as he was getting into the wheelchair and that they were just trying to find the calmest way, least physical way to get him into a wheelchair so that they can get him to the hospital. Officer Pecirep reports that Peter Diaz just didn't want to comply and did not want to do anything he was told. Officer Pecirep states that eventually Peter Diaz stood up and sat in the wheelchair.

Officer Pecirep stated that once he was secured in the wheelchair, Detention Officer Figueroa was trying to put the shackles around Peter Diaz's ankles, but that he would sway his foot and make it completely complicated for Detention Officer Figueroa. Officer Pecirep relates that Peter Diaz was disrespectful and was making comments about Detention Officer Figueroa's family, particularly his wife. Officer Pecirep indicates that it did not sit well with Detention Officer Figueroa.

According to Officer Pecirep, while Peter Diaz was in the wheelchair, he remembers Sergeant Scillia securing one of the straps in the wheelchair. Officer Pecirep states that from where he was standing, he did not observe anything unusual about the way Sergeant Scillia strapped Peter Diaz. Officer Pecirep

conveys, "Not that I know of, no. I don't remember. I just remember the strapping, and I don't remember him making any other contact." (Pecirep 1050-1051) Officer Pecirep also states that he does not remember Sergeant Scillia striking Peter Diaz.

Officer Pecirep conveys that he was standing on the side and it looked like Sergeant Scillia tripped over and made contact with Peter Diaz's injured leg. Officer Pecirep states that it was a confined space and that there were four people all together. Officer Pecirep relates that he did not know if Sergeant Scillia lost his footing or what he was trying to do, but that he remembers sergeant falling over him and making contact with his injured leg. Officer Pecirep states that Sergeant Scillia apologized right after he made contact with Peter Diaz's injured leg.

Officer Pecirep imparts that Peter Diaz was already hostile and was bitter that Sergeant Scillia had made contact with his leg and started to make comments the whole time. Officer Pecirep is asked if at any time, he remembers Peter Diaz making any comment about Sergeant Scillia and he states that he does not remember.

Officer Pecirep states that he was to the right of Peter Diaz and closest to the wall and that once Peter Diaz was secured, the medics brought him down the ramp in the wheelchair without incident. Officer Pecirep states that they went to the front desk area and waited for another car to arrive, who ended up being Officer Mildred Manning and they then brought him to the ambulance. Officer Pecirep conveys that the medics handled the wheelchair the whole time and he just stayed behind them.

Officer Pecirep contends that he cannot remember Sergeant Scillia making any comments towards Peter Diaz. Officer Pecirep explains, "I - again, I - I can't remember exact words what he said or - or anything, or his attitude towards him. Um, but at that point, personally, I just wanted to get out of there. Get him in the bus and just go to the hospital. But in terms of what (Scillia) said to him, I honestly can't remember, like." (Pecirep 795-798) Officer

Pecirep contends that he does not remember Sergeant Scillia being sarcastic towards Peter Diaz as he was leaving and believed that he as well as Sergeant Scillia acted professional.

Officer Pecirep states that Peter Diaz was then transported to [REDACTED] 2 - HIPAA and once they arrived, he did not want to be seen by any of the doctors and made remarks that his grandmother or his mom died in [REDACTED] 2 - HIPAA because of poor care and he did not want to be there. Officer Pecirep documents that when they got him into the emergency room and in by the end of the front lobby, he was making remarks and telling the doctors not to touch him, and he refused care. Officer Pecirep indicates that he then contacted the Booking supervisor and advised him of the situation and they ended up going to [REDACTED] 2 - HIPAA

Officer Pecirep relates that while at [REDACTED] 2 - HIPAA Peter Diaz became a little more compliant with him and that he calmed down. Officer Pecirep states that he eventually was relieved and went back on the road. Officer Pecirep states that he wrote an explanatory report to Sergeant Ivan Delgado and that no one requested it from him and it was just something that he brought up to a supervisor. Officer Pecirep thought the comments made by Peter Diaz towards police officers while at the Hospital was concerning.

According to Officer Pecirep, he made comments like, "I'm gonna get back the - whoever that cop was, um, that hit me. I'm gonna get him back once I get out." (Pecirep 1333-1334) Officer Pecirep notes that he made some remarks about him having a bunch of guns and remarks about how he watches our training academy train at Newfield Park. Officer Pecirep added that the fact that Peter Diaz knew that officers train at Newfield Park and in the afternoon, was alarming to him because those are unarmed officers. Officer Pecirep also indicated that Peter Diaz was making remarks about how vulnerable officers are and that we should watch our back, especially when we are on road jobs and at the training academy. Officer

Pecirep stated that Peter Diaz made those remarks because of how it is easy to just drive by and shoot officers in the back.

Officer Pecirep stated that Peter Diaz continued to make remarks about Sergeant Scillia and how he was gonna get him and also how he was gonna get the other officer that arrested him. Officer Pecirep stated that Peter Diaz was saying that Sergeant Scillia messed up his leg again and was complaining of pain too. Officer Pecirep points out that Peter Diaz only complained about the contact with his leg. Officer Pecirep notes that Peter Diaz was belligerent from the moment he got there and that he had not seen Peter Diaz until he got to Booking and never seen him before in his life. Officer Pecirep expressed that because he was that way towards him, he was not sure if he just didn't like cops and he was just being that way towards everybody.

During the interview, Officer Pecirep is advised that he knows that Booking has video and sound and is asked again if he remembered Sergeant Scillia striking Peter Diaz at any point, but Officer Pecirep states that he does not recall and that it was a busy night.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Officer Pecirep

By reviewing this video footage under channel 1 which shows the North side of 316 Colorado Avenue, Officer Pecirep is observed walking towards the house at the same time Carmelo Mendez is being walked to a police car. Officer Pecirep then walks in the camera view under channel 7 which face the front of the house. (10:32:36) Officer Pecirep goes over to a couple of officers that are standing by the driveway, but never goes to the back of the house. At 10:34:37, Officer Pecirep leaves and is observed leaving the scene and walking back to his patrol vehicle.

Summary of Booking Video capturing the conduct of Officer Pecirep

By reviewing the Booking footage, Officer Pecirep is observed entering Booking at 11:48:34 and then stays by the booking desk with Sergeant Scillia. At 11:51:36, Officer Pecirep along with Sergeant Scillia, Detention Officer Figueroa, and the medics walk up the ramp and to cell 7. The medics have a wheelchair with them. At 11:51:48, Detention Officer Figueroa opens the male cell # 7 door open and a viewer can see Sergeant Scillia speaking to Peter Diaz. Note that there is no audio at this location, therefore we cannot determine what is being said. Peter Diaz is at this point sitting in the metal bed while he is speaking to Sergeant Scillia.

At 11:52:20, Peter Diaz gets up on his own from the metal bed and the medics bring the wheelchair right in front of the door. Peter Diaz hops over to the chair and sits on his own. Note that while attempting to sit in the chair, one of the medics attempts to aid him by putting her hands in his arms, but it appears Peter Diaz quickly shake his head and the medic takes her hands away from him.

Once seated, Peter Diaz is facing the cell and the medics cover him with a sheet and start to strap him in to the chair. At this point, Officer Pecirep and Sergeant Scillia are right in front of male cell # 6 which is to the left of the cell # 7. As Peter Diaz is being strapped in a viewer can see that Peter Diaz and Sergeant Scillia are having words. The viewer can see the medics pull the strap from the wheelchair in order to tighten it.

The medics then move the chair back and Detention Officer Figueroa moves right in front of Peter Diaz in order to shackle his legs. (11:53:18) It appears that Detention Officer Figueroa is having trouble shackling Peter Diaz and a viewer can see that he is moving his legs around. The camera view shows the back of Peter Diaz, but a viewer can see that he is talking to Detention Officer Figueroa. *Note that during the*

interview, Officer Pecirep stated that once he was secured in the wheelchair, Detention Officer Figueroa was trying to put the shackles around Peter Diaz's ankles, but that he would sway his foot and make it completely complicated for Detention Officer Figueroa.

At 11:53:40, Detention Officer Figueroa then pokes his fingers in Peter Diaz's chest and starts to point at his face. ***Officer Pecirep related during his interview that Peter Diaz was disrespectful and was making comments about Detention Officer Figueroa's family, particularly his wife and he indicated that it did not sit well with Detention Officer Figueroa.***

At the same time Detention Officer Figueroa is talking to Peter Diaz, Sergeant Scillia grabs one of the straps from the wheelchair and tightens it. While he is tightening it, Sergeant Scillia pulls one of the straps in an upward motion and strikes Peter Diaz in the face with a closed fist which causes Peter Diaz head to move back.

While this is going on, Officer Pecirep is standing directly to the right of Sergeant Scillia and steps in closer to Sergeant Scillia as he is tightening the straps. However, Sergeant Scillia strikes Peter Diaz at quickly and inconspicuous while he is holding the straps. When this occurs, Detention Officer Figueroa is attempting to shackle Peter Diaz and is looking down at his feet. ***According to Officer Pecirep, he stated during his interview that while Peter Diaz was in the wheelchair, he remembered Sergeant Scillia securing one of the straps in the wheelchair. Officer Pecirep states that from where he was standing, he did not observe anything unusual about the way Sergeant Scillia strapped Sergeant Scillia and that he does not remember Sergeant Scillia striking Peter Diaz.***

Soon after, Sergeant Scillia walks around Peter Diaz and this is where he makes contact with Peter Diaz's injured leg. Officer Pecirep is again standing in front of cell # 6 looking at Peter Diaz and Sergeant Scillia. Peter Diaz is then brought down the ramp by the medics and to the front of the Booking desk. ***During his interview, Officer Pecirep conveyed that he was standing on the side and it looked like Sergeant Scillia tripped over and made contact with Peter Diaz's injured leg. Officer Pecirep states that it was a confined space and that there were four people all together and that he did not know if Sergeant Scillia lost his footing or what he was trying to do, but that he remembers sergeant falling over him and making contact with his injured leg. Officer Pecirep stated that Sergeant Scillia apologized right after he made contact with Peter Diaz's injured leg.***

When Peter Diaz is by the booking desk, Officer Mildred Manning is already in booking waiting to transport him to the Hospital. The medics then finish securing Peter Diaz in the chair and Officer Pecirep is standing right behind him. As the medics are bringing Peter Diaz out into the sally port, Sergeant Scillia is making comments towards him. Officer Pecirep is standing next to Sergeant Scillia and inside the sally port. ***Officer Pecirep contended during his interview that he could not remember Sergeant Scillia making any comments or his exact words towards Peter Diaz. Officer Pecirep expressed that he just wanted to get out of there and get Peter Diaz in the ambulance and go to the hospital.***

Once Peter Diaz is placed in the ambulance, Officer Pecirep leaves and follows him. Officer Pecirep comes into Booking later in the night to transport another prisoner (not related to Colorado) to the Hospital.

Based on all the aforementioned facts and details obtained via reports, statements, and videos throughout this investigation, it is found that even though Officer Pecirep was standing next to Officer Scillia, one cannot determine whether he observed Sergeant Scillia strike Peter Diaz. Officer Pecirep contends that he did not observe anything unusual about the way Sergeant Scillia strapped in Peter Diaz. Furthermore, Officer Pecirep claims that Sergeant Scillia tripped over Peter Diaz which caused him to make contact with Peter Diaz's leg.

The undersigned Sergeant has determined Officer Mario Pecirep has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

53. Officer Dale Walker

Summary of statement given by Officer Dale Walker summarized by Sergeant Fabio Pereira, Officer Dale Walker stated the following among other things:

This is the summary of the statement given by Officer Dale Walker. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant Fabio Pereira and Union Steward Luis A. Pomales on May 24, 2018. This interview utilized audio taped log # 6078. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Officer Walker stated that on the night in questions, he was working car Green 32. Officer Walker stated that he did not respond to 316 Colorado Avenue because he was at another call at the time. In addition, Officer Walker indicated that he also did not respond to Booking.

Note that Officer Walker is not seen in any of the video footage which was acquired during the investigation at either 316 Colorado Avenue or Booking. A check of the Dispatch Records shows that Officer Dale Walker was assigned to Physical Domestic at [REDACTED] 1 - Federal VAW Act [REDACTED] The records shows that Officer Walker went on scene at 2226 hours around the same time the officers were going on scene at Colorado Avenue.

The undersigned Sergeant has determined Officer Dale Walker has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

54. Sergeant Scott Waehler

Summary of statement given by Sergeant Scott Waehler summarized by Sergeant Fabio Pereira, Sergeant Waehler stated the following among other things:

This is the summary of the statement given by Sergeant Scott Waehler. This interview was conducted by Sergeant Santiago Llanos and present was Sergeant Fabio W. Pereira and Union Luis A. Pomales on May 24, 2018. This interview utilized audio taped log # 6079. The Interview was conducted at the Office of Internal Affairs located at 999 Broad Street Bridgeport, Connecticut. This interview is regarding an internal investigation initiated by the Chief of Police Armando J. Perez involving an incident at 316 Colorado Avenue on October 21, 2017 at approximately 2200 hours.

During the interview, Sergeant Waehler stated that he responded to 316 Colorado Avenue due to the 10-32 (Officer needs assistance) call. Sergeant Waehler relates that he came into work early and when the call came in, he had a vehicle and went to the scene with Lieutenant Robert Sapiro. Sergeant Waehler indicates that when he arrived on scene, he observed lots of police vehicles parked in the street and people running around.

Sergeant Waehler conveys that he walked over towards the house where all the commotion seemed to be and started to walk down the driveway. Sergeant Waehler relates that there was one person being taken into custody when he first came to the driveway and that the individual was in a prone position and the officers were handcuffing him. Sergeant Waehler noted that he did not observe any officer use force on this individual as they were arresting him. Sergeant Waehler states that at that time everyone was basically in handcuffs and that heard people yelling back and forth with the officers. Sergeant Waehler states that there was a lot of commotion and that officers as well as supervisors were in the driveway of the house.

Sergeant Waehler imparts that at the very end, an individual in a pick-up truck drove at the crowd of people and almost hit them. Sergeant Waehler states that he was there when the party was taken out of the vehicle and placed under arrest. Sergeant Waehler relates that he left the scene on his own and went back to patrol and that Lieutenant Sapiro went back to patrol with someone else.

Sergeant Waehler described the scene as a lot of people around and a few children around and that the driveway was well lit. Sergeant Waehler reported that while on scene, he did not see anyone resist or any of the officers getting assaulted or using unnecessary force. In addition, he did not see any injuries on either the officers or any civilians that were present. According to Sergeant Waehler, he did not see a wheelchair while at Colorado Avenue and did not respond to Booking after he cleared from Colorado Avenue.

Summary of Video Footage provided by Attorney Robert Berke capturing the conduct of Sergeant Waehler

By reviewing Channel 1 which faces the North side of Colorado Avenue, a viewer can see Sergeant Waehler walking towards the house at. (10:29:20) Sergeant Waehler is then seen under Channel 7 in front of the house for a few seconds and walks towards the back of house through the driveway. Sergeant Waehler is then observed at 10:30:31 under Channel 6 walking in the driveway as Carmelo Mendez is on the ground in a prone position being handcuffed. Sergeant Waehler briefly talks to Officer Bepko and Detective McKenna as Carmelo Mendez is being stood up and escorted to the front of the house.

Sergeant Waehler then walks back and forth between the front of the house and the driveway which can be seen under Channel 6 and 7. At 10:37:20, Officer Joseph Cruz is seen walking with the wheelchair

and leaving it in front of the house at the same time as Sergeant Waehler is walking from the back of the house towards the front, but it appears that Sergeant Waehler does not notice the wheelchair. At 10:38:40 a pick-up truck is observed speeding traveling north on Colorado Avenue almost striking Sergeant Stacey Lyons and Sergeant Jeffrey Long. Sergeant Waehler is observed in the area, however, the camera (Channel 3) which would have captured the arrest of the individual in the pick-up truck does not work.

At 10:40:18 and under Channel 1, the pick-up truck is moved by Sergeant Scillia who then speaks to Sergeant Waehler for a moment. Shortly thereafter, Sergeant Waehler walks back to the front of the house and eventually is observed under Channel 1 (10:42:35) walking towards where his patrol vehicle would have been by himself.

The undersigned Sergeant has determined Sergeant Waehler has no sustained Bridgeport Police Department Rules and Regulations/ Policy and Procedure violations at this time.

Section VIII

The undersigned Sergeant has determined, based on statements, official reports, videos, coupled with facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude the following Officers have violated Bridgeport Police Policy and Procedures/Rules and Regulations.

Findings: Referred to the Board of Police Commissioners.

Violations for the following Officers will be indexed on the subsequent pages.

- | | |
|--|---|
| 1. Sergeant Paul Scillia: | Issues: Excessive Force / Truthfulness / Failure to Supervise |
| 2. Officer Michael Stanitis: | Issues: Excessive Force / Truthfulness |
| 3. Officer Joseph Cruz: | Issues: Excessive Force / Truthfulness |
| 4. Officer Thomas Lattanzio: | Issues: Excessive Force / Truthfulness
<i>Separated from Service</i> |
| 5. Lieutenant Robert Sapiro: | Issue: Failure to Supervise |
| 6. Sergeant Mark Belinkie: | Issue: Failure to Supervise |
| 7. Detective Kenneth Fortes: | Issues: Truthfulness / Inaccurate Reporting |
| 8. Officer Daniel Faroni: | Issues: Excessive Force / Truthfulness / Failure to Protect Property |
| 9. Officer Adam Szeps: | Issues: Truthfulness / Medical Attention |
| 10. Civilian Detention Officer
Jose Figueroa: | Issues: Excessive Force |
| 11. Officer Natalie McLaughlin: | Issues: Truthfulness / Department Reports |
| 12. Officer Matthew Johnson: | Issues: Department Reports / Officers Correspondence |
| 13. Officer Douglas Bepko: | Issues: Truthfulness |
| 14. Officer Todd Sherback: | Issues: Public Contact |
| 15. Officer Michael Mazzacco: | Issues: Racial Issue |
| 16. Civilian Detention Officer
Paul Humphrey: | Issues: of Public Contact |
| 17. Officer Linet Castillo: | Issues: Truthfulness |
| 18. Officer Joseph Pires: | Issues: Truthfulness |
| 19. Officer Stephen Silva: | Issues: Medical Attention |

The undersigned Sergeant has determined, based on statements, official reports, videos, coupled with facts and circumstances revealed and obtained during the course of this investigation, that the preponderance of evidence has been substantiated to conclude the following Officers have violated Bridgeport Police Policy and Procedures/Rules and Regulations.

Findings: Referred to the Board of Police Commissioners.

Sergeant Paul Scillia

1.1.6 Appendix A - Oath of Office

I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God.

I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.

I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code Of Ethics

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities Of A Police Officer

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance Of The Duties Of A Police Officer

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.4 Use Of Force

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. Force should be used only with the greatest

restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from apply the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

1.1.7.6 Integrity

A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

1.2.18 Authority And Responsibility

BPD is an organization with an assignment of responsibility and accountability throughout the rank structure. The organizational structure, set forth by the Board of Police Commissioners in the Table of Organization, establishes authority and responsibility for members to carry out their duties.

Supervisors are given full authority to make decisions necessary for the effective execution of their responsibilities. It is also understood that all employees are accountable for the use of delegated authority as well as the failure to use it.

1.2.21 Supervisor Accountability

All supervisory personnel shall be held accountable for the performance of employees under their immediate control.

1.3.3.5 Supervising Officer

A supervising officer is one who, through rank or appointment, is responsible for the actions of one of more subordinates. Supervising officers personally observe the work and actions of those subordinates for whom they are responsible and react accordingly to the needs of commendation, training or correction.

1.3.4 Knowledge Of Department Rules And Regulations

1. Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same.
2. These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule.
3. All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department.
4. In case of doubt concerning the application of any rule, regulation, order or directive, the member

affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation Of Rules

Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or other orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at Area Commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate.

Any superior officer of the Department, who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance To Rules / Regulations

All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable

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An officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following, but is not limited to:

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1.3.21 Unbecoming Conduct

Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.29 Public Contact

- 1) While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. While on-duty members of the Department shall exercise courtesy toward all persons.

1.3.34 Departmental Reports / Official Correspondence

- 1) Every member of the Department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto.

- 2) Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information.
- 3) Accurate and concise entries shall be made in Department records in chronological order without delay using blue ink.
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- 7) Numerals should be used when entering dates on Department forms, e.g., 1/1/2000. (Note to reader: the date format used in this manual is dd mmm yy.)

1.3.38 Truthfulness

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This requirement to be honest and forthright and not knowingly or willfully departing from the truth applies to all communications: in person, verbal, written, telephonic, electronic or via radio.

Any sworn member of the Bridgeport Police Department may be ordered by the Chief of Police and or his or her designee to respond fully and truthfully to questions about any action taken that relates to the member's employment or position as it pertains to an internal or administrative investigation.

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3.7.1 Use Of Force

Police officers shall use only that force that appears reasonably necessary to effectively bring an incident under control while protecting the lives of the officer or another as per CGS 53a-22. Law permits the use of force under certain conditions, and a police officer is authorized to exercise force in those circumstances. The unnecessary use of force is contrary to law and places the Department in a position of civil liability and places the officer in a position of civil and criminal liability; therefore, the unnecessary use of force is prohibited. Members of BPD are strictly prohibited from the use of excessive physical force against any individuals engaged in non-violent civil rights demonstrations

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Probable Cause

Where facts and circumstances known to the officer, or those circumstances on which the officer has reasonable reliable information, are sufficient to lead a reasonable person to believe that the person to be arrested has committed or is committing a crime.

Substantial Risk

A realistic danger or probability of an event occurring. Substantial risk is not just a mere possibility of something happening, but a practical certainty that it will happen.

Use of Force Continuum

The determinant regarding the acceptable level of force (lethal / non-lethal) that may be used in any given set of circumstances is that level that the police officer reasonably believes is necessary to accomplish his lawful purpose. The various levels of force, or control techniques / tactics, are referred to as "The Use of Force Continuum." These levels may be set forth as follows:

- 1) Officer's presence in uniform.
- 2) Verbal and non-verbal communications and commands.
- 3) Passive control
- 4) Oleoresin capicum (pepper spray)

Note: The above could be with or without the ASP Baton.

- a) TASER
- 5) Decentralization
- a) Heavy techniques of subject control.
- b) Defensive tactics.

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- 6) TASER
- 7) Impact implement (ASP Baton).
- 8) Lethal force

Police officers are entitled to enter the Continuum at that level that they reasonably believe is necessary to control the situation and accomplish their lawful purpose. Police officers are required to de-escalate within the continuum when they reasonably believe control may be maintained and their lawful purpose is accomplished by such a lesser degree of force. However, police officers are never required to place themselves or third persons in a situation that exposes them to an unreasonable risk of danger or injury.

3.7.1.17 Situations Requiring A Use Of Force Report

The Use of Force Report procedure will be completed whether or not an arrest is made and under the following circumstances (a sample Use of Force Report is available in § 3.7.1.25 below):

- 1) When any officer purposely strikes either with body parts (feet, hands, knees) or striking instrument, any person during the performance of the officer's duties.
- 2) When scuffling or grappling with an arrestee or person under lawful detention and using any

degree of force or physical restraint greater than the mere guiding, holding or handcuffing of someone.

3) When an officer causes an injury or there is a complaint of injury from a person as a result of any physical confrontation.

4) When an officer uses the authorized Departmentally issued chemical irritant spray, A Use of OC Form must be completed. (Note: An entire Use of Force Report is not necessary under these circumstances.)

3.7.3 Prisoner Transportation

The transport of prisoners to and from a police facility, while an everyday occurrence, is not a task devoid of danger. Department officers transporting prisoners are legally responsible for the safety and custody of the prisoner being transported. Officers will not only ensure the prisoner does not escape but is treated with the respect and dignity entitled to all individuals.

The purpose of this policy is to ensure the safety of the officer and the prisoner and provide equitable treatment of all prisoners transported by this Department.

3.8.2 Policy Holding Facility

It is the policy of this Department to treat all arrested persons with humaneness and understanding. The safety of the arrestee and Department personnel is the paramount consideration. Arrestees shall be allowed to consult with counsel upon request and without exception. Their civil rights will be protected at all times and this protection shall be a continuing responsibility of this Department while they remain in custody. They shall be afforded an opportunity to contact family and/or employer to apprise them of their situation.

1.1.6 Appendix A - Oath of Office

1.1.7. Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.2.18 Authority and Responsibility

1.2.21 Supervisor Accountability

1.3.3.5 Supervising Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

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1.3.21 Unbecoming Conduct

1.3.29 Public Contact

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1 Use of Force

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1.1.6 Appendix A - Oath of Office

I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God.

I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.

I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code Of Ethics

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities Of A Police Officer

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance Of The Duties Of A Police Officer

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

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- 4) When an officer uses the authorized Departmentally issued chemical irritant spray, A Use of OC Form must be completed. (Note: An entire Use of Force Report is not necessary under these circumstances.)

3.7.3.9.3 Physically Injured Or Ill Prisoners

Prisoners requiring immediate medical treatment will be transported from the scene to the hospital via ambulance or police cruiser depending upon the seriousness of the injury.

1.1.6 Appendix A - Oath of Office
1.1.7 Law Enforcement Code of Ethics
1.1.7.1 Primary Responsibilities of a Police Officer
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Police Officer Joseph Cruz

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A realistic danger or probability of an event occurring. Substantial risk is not just a mere possibility of something happening, but a practical certainty that it will happen.

Use of Force Continuum

The determinant regarding the acceptable level of force (lethal / non-lethal) that may be used in any given set of circumstances is that level that the police officer reasonably believes is necessary to accomplish his lawful purpose. The various levels of force, or control techniques / tactics, are referred to as "The Use of Force Continuum." These levels may be set forth as follows:

- 1) Officer's presence in uniform.
- 2) Verbal and non-verbal communications and commands.
- 3) Passive control
- 4) Oleoresin capsicum (pepper spray)

Note: The above could be with or without the ASP Baton.

a) TASER

5) Decentralization

a) Heavy techniques of subject control.

b) Defensive tactics.

Note: The above could be with or without the ASP Baton.

6) TASER

7) Impact implement (ASP Baton).

8) Lethal force

Police officers are entitled to enter the Continuum at that level that they reasonably believe is necessary to control the situation and accomplish their lawful purpose. Police officers are required to de-escalate within the continuum when they reasonably believe control may be maintained and their lawful purpose is accomplished by such a lesser degree of force. However, police officers are never required to place themselves or third persons in a situation that exposes them to an unreasonable risk of danger or injury.

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.1 Use of Force

3.7.1.1 Definitions

Officer Thomas Lattanzio



4.02 Investigating Misconduct and Citizen Complaints

I. Time Limits on Completing Internal Affairs Investigation

5. "In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service."

4.02 Investigating Misconduct and Citizen Complaints

Lieutenant Robert Sapiro

1.1.6 Appendix A - Oath of Office

I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God.

I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.

I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

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All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.1 Primary Responsibilities Of A Police Officer

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

1.1.7.2 Performance Of The Duties Of A Police Officer

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.6 Integrity

A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

1.2.18 Authority And Responsibility

BPD is an organization with an assignment of responsibility and accountability throughout the rank structure. The organizational structure, set forth by the Board of Police Commissioners in the Table of Organization, establishes authority and responsibility for members to carry out their duties.

Supervisors are given full authority to make decisions necessary for the effective execution of their responsibilities. It is also understood that all employees are accountable for the use of delegated authority as well as the failure to use it.

1.2.21 Supervisor Accountability

All supervisory personnel shall be held accountable for the performance of employees under their immediate control.

1.3.3.4 Officer in Charge

The ranking officer on-duty in any division, bureau, or unit is defined as the officer in charge. The responsibilities and powers of the same as those of commanding officers. While officers in charge will refrain from setting policy, they will ensure that the policies and orders of commanding officers are followed and obeyed.

1.3.3.5 Supervising Officer

A supervising officer is one who, through rank or appointment, is responsible for the actions of one of more subordinates. Supervising officers personally observe the work and actions of those subordinates for whom they are responsible and react accordingly to the needs of commendation, training or correction.

1.3.4 Knowledge Of Department Rules And Regulations

1. Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same.
2. These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule.
3. All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department.
4. In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

1.3.5 Violation Of Rules

Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or other orders of the Department whether or not stated in this manual. Rules, regulations, directives, or other orders shall be posted at Area Commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate.

Any superior officer of the Department, who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance To Rules / Regulations

All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable

1.3.12 Incompetence

An officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following, but is not limited to:

- 1) A lack of knowledge of the application of laws that are required to be enforced.
- 2) An unwillingness or inability to perform assigned tasks.
- 3) A failure to conform to work standards established for the officer's rank, grade or position.
- 4) Repeated poor evaluations or repeated infractions of the rules and regulations.

1.3.21 Unbecoming Conduct

Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

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1.3.3.4 Officer in Charge

1.3.3.5 Supervising Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

Sergeant Mark Belinkie

1.1.6 Appendix A - Oath of Office

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3. All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department.

4. In case of doubt concerning the application of any rule, regulation, order or directive, the member affected shall promptly consult with his immediate superior for clarification.

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1.3.6 Conformance To Rules / Regulations

All members of the Department shall be subject to and shall obey all rules and regulations, orders, instructions or requirements, whether mentioned in regard to a specific assignment or rank, or in the General Regulations, or emanating from a competent authority from time to time, insofar as may be applicable

1.3.9 Neglect Of Duty

No officer shall be absent from assigned duty or post without authorized leave.

- Notify a CAD operator before leaving post.
- Notify a CAD operator upon return to post.

1.3.12 Incompetence

An officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following, but is not limited to:

- 1) A lack of knowledge of the application of laws that are required to be enforced.
- 2) An unwillingness or inability to perform assigned tasks.
- 3) A failure to conform to work standards established for the officer's rank, grade or position.
- 4) Repeated poor evaluations or repeated infractions of the rules and regulations.

1.3.21 Unbecoming Conduct

Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.29 Public Contact

1) While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. While on-duty members of the Department shall exercise courtesy toward all persons.

3.8.2 Policy Holding Facility

It is the policy of this Department to treat all arrested persons with humaneness and understanding. The safety of the arrestee and Department personnel is the paramount consideration. Arrestees shall be allowed to consult with counsel upon request and without exception. Their civil rights will be protected at all times and this protection shall be a continuing responsibility of this Department while they remain in custody. They shall be afforded an opportunity to contact family and/or employer to apprise them of their situation.

1.1.6 Appendix A – Oath of Office

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1.1.7.1 Primary Responsibilities of a Police Officer

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1.2.18 Authority and Responsibility

1.2.21 Supervisor Accountability

1.3.3.5 Supervising Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.9 Neglect of Duty
1.3.12 Incompetence
1.3.21 Unbecoming Conduct
1.3.29 Public Contact
3.8.2 Policy Holding Facility

Detective Kenneth Fortes

1.1.6 Appendix A - Oath of Office

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1.1.7.6 Integrity

A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.4 Knowledge of Department Rules and Regulations

- 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same.
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2. An unwillingness or inability to perform assigned tasks.
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1.3.21 Unbecoming Conduct

Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.34 Departmental Reports / Official Correspondence

1. Every member of the department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto.

2. Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information.

1.3.38 Truthfulness

The integrity of police service is based on truthfulness. Member shall be honest and forthright when questioned by a superior officer. No member shall knowingly or willfully depart from the truth in giving testimony, or in creating a written report, affidavit, or statement about any action or inactions that relates to the member's employment with the Bridgeport Police Department.

This requirement to be honest and forthright and not knowingly or willfully departing from the truth applies to all communications: in person, verbal, written, telephonic, electronic or via radio.

Any sworn member of the Bridgeport Police Department may be ordered by the Chief of Police and or his or her designee to respond fully and truthfully to questions about any action taken that relates to the member's employment or position as it pertains to an internal or administrative investigation.

Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut.

3.7.1.17 Situations Requiring A Use Of Force Report

The Use of Force Report procedure will be completed whether or not an arrest is made and under the following circumstances (a sample Use of Force Report is available in § 3.7.1.25 below): 1) When any officer purposely strikes either with body parts (feet, hands, knees) or striking instrument, any person during the performance of the officer's duties. 2) When scuffling or grappling with an arrestee or person under lawful detention and using any degree of force or physical restraint greater than the mere guiding, holding or handcuffing of someone. 3) When an officer causes an injury or there is a complaint of injury from a person as a result of any physical confrontation. 4) When an officer uses the authorized Departmentally issued chemical irritant spray, A Use of OC Form must be completed. (Note: An entire Use of Force Report is not necessary under these circumstances.)

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1.3.4 Knowledge of Department Rules and Regulations

- 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same.
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2. Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information.

1.3.35 Processing Property And Evidence

Property and evidence that has been discovered, gathered or received in connection with Departmental responsibilities will be processed in accordance with established Departmental procedures and law. Officers shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action except in accordance with established Departmental procedures and law.

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The integrity of police service is based on truthfulness. Member shall be honest and forthright when questioned by a superior officer. No member shall knowingly or willfully depart from the truth in giving testimony, or in creating a written report, affidavit, or statement about any action or inactions that relates to the member's employment with the Bridgeport Police Department.

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Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut.

3.7.1 Use Of Force

Police officers shall use only that force that appears reasonably necessary to effectively bring an incident under control while protecting the lives of the officer or another as per CGS 53a-22. Law permits the use of force under certain conditions, and a police officer is authorized to exercise force in those circumstances. The unnecessary use of force is contrary to law and places the Department in a position of civil liability and places the officer in a position of civil and criminal liability; therefore the unnecessary use of force is prohibited. Members of BPD are strictly prohibited from the use of excessive physical force against any individuals engaged in non-violent civil rights demonstrations

3.7.1.1 Definitions

Deadly Physical Force

Physical force which can be reasonably expected to cause death or serious physical injury (CGS 53a-3(5)).

Serious Physical Injury

Physical injury that creates a substantial risk of death, or that causes serious disfigurement of health or loss or impairment of the function of any bodily organ (CGS 53a-3(4)).

Reasonable Belief

A reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances that if true, would in law, constitute an offense (CGS 53a-22).

Non-deadly Force

Any use of force other than that which is considered deadly force.

Probable Cause

Where facts and circumstances known to the officer, or those circumstances on which the officer has reasonable reliable information, are sufficient to lead a reasonable person to believe that the person to be arrested has committed, or is committing a crime.

Substantial Risk

A realistic danger or probability of an event occurring. Substantial risk is not just a mere possibility of something happening, but a practical certainty that it will happen.

Use of Force Continuum

The determinant regarding the acceptable level of force (lethal / non-lethal) that may be used in any given set of circumstances is that level that the police officer reasonably believes is necessary to accomplish his lawful purpose. The various levels of force, or control techniques / tactics, are referred to as "The Use of Force Continuum." These levels may be set forth as follows:

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Note: The above could be with or without the ASP Baton.

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5) Decentralization

- a) Heavy techniques of subject control.
- b) Defensive tactics.

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3.7.3.9.1 Handicapped Prisoners

The prisoner's condition will determine the suitable vehicle for transportation, i.e., Transport Vehicle or Ambulance. Restraint devices will be used only when necessary to prevent escape or ensure the safety of the officer and/or prisoner.

3.7.4 Personal Property Of Prisoners

This section provides guidelines for the handling of personal property of arrestees who are lodged in the Lockup / Holding Facility of BPD.

BPD policy is to ensure that all sworn members and Detention Officers properly handle the personal property of arrestees.

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.4 Use of Force

1.1.7.6 Integrity

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

1.3.21 Unbecoming Conduct

1.3.34 Departmental Reports / Official Correspondence

1.3.35 Processing Property and Evidence

3.7.1 Use of Force

3.7.1.1 Definitions

3.7.3.9.1 Handicapped Prisoner

3.7.4 Personal Property of Prisoners

Police Officer Adam Szeps

1.1.6 Appendix A - Oath of Office

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3.7.3.9.3 Physically Injured or Ill Prisoners Prisoners requiring immediate medical treatment will be transported from the scene to the hospital via ambulance or police cruiser depending upon the seriousness of the injury.

1.1.6 Appendix A - Oath of Office

1.1.7 Law Enforcement Code of Ethics

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1.1.7.2 Performance of the Duties of a Police Officer

1.1.7.6 Integrity

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1.3.12 Incompetence

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1.3.34 Departmental Reports / Official Correspondence

1.3.38 Truthfulness

3.7.3.9.3 Physically Injured or Ill Prisoners

Detention Officer Jose Figueroa



3.8.7 Civilian Detention Officers-Use Of Force

- 1) Civilian Detention Officers shall use only the minimum amount of force necessary to control the arrestee in order to protect his/her self or a third person from physical injury.
- 2) Any incident involving the use of force by a Civilian Detention Officer against an arrestee shall be brought to the immediate attention of the Holding Facility Supervisor.
- 3) The Holding Facility Supervisor shall document the incident in writing and render a conclusion as to the appropriateness of the use of force by the Detention Officer. These reports shall be forwarded to the Deputy Chief in Charge of Uniformed Services.

3.8.7 Civilian Detention Officers-Use of Force

Police Officer Natalie McLaughlin



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Police Officer Matthew Johnson

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1.3.28 Withholding Information

Members of the Department shall not withhold information from their superior officers relating to police business for the purpose of personal advancement or for any other improper purposes.

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Officer Matthew Johnson

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Police Officer Douglas Bepko

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Police Officer Todd Sherback

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1.3.29 Public Contact

1. While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. While on-duty members of the Department shall exercise courtesy toward all persons.

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Any superior officer of the Department who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.6 Conformance to Rules/Regulations

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1.3.12 Incompetence

An Officer shall maintain competency to perform his duty and to assume the responsibility of his position. Incompetence may be deemed by demonstrating the following but is not limited to:

1. A lack of knowledge of the application of laws that are required to be enforced
2. An unwillingness or inability to perform assigned tasks.
3. A failure to conform to work standards established for the officer's rank, grade or position.
4. Repeated poor evaluations or repeated infractions of the rules and regulations.

1.3.21 Unbecoming Conduct Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operation or efficiency of the Department or the officer.

1.3.29 Public Contact

1. While on-duty members of the Department shall not speak disparagingly of the race, creed, color, sex, national origin, or religion of any person. Moreover, because such disparaging remarks may tend to create doubt as to the Department's willingness or ability to serve all members of the community fairly, regardless of race, creed, color, sex, national origin, or religion of any person, members are urged to refrain from such speech at all times. While on-duty members of the Department shall exercise courtesy toward all persons.

2.7.8 Racial, Ethnic or Sexist Slurs and/or Graffiti This section establishes a policy prohibiting the inappropriate use of racial, ethnic, or sexist slurs and/or graffiti of BPD employees. A complaint and investigation process are also established to enforce the policy. It is the policy of BPD that no employee, independent contractor or non-employee in the workplace shall communicate any racial, ethnic or sexist slur and/or graffiti that contributes to a hostile work environment, for BPD employees.

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.1 Primary Responsibilities of a Police Officer

1.1.7.2 Performance of the Duties of a Police Officer

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.6 Conformance to Rules/Regulations

1.3.12 Incompetence

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1.3.29 Public Contact

2.7.8 Racial, Ethnic or Sexist Slurs and/or Graffiti

Detention Officer Paul Humphrey

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3.8.2 Policy Holding Facility

It is the policy of this Department to treat all arrested persons with humaneness and understanding. The safety of the arrestee and Department personnel is the paramount consideration. Arrestees shall be allowed to consult with counsel upon request and without exception. Their civil rights will be protected at all times and this protection shall be a continuing responsibility of this Department while they remain in custody. They shall be afforded an opportunity to contact family and/or employer to apprise them of their situation.

The Office of Internal Affairs concludes the following information to be factual based on information that was corroborated and found to be true, accurate and credible.

Detention Officer Paul Humphrey

1.3.29 Public Contact

3.8.2 Policy Holding Facility

1.1.6 Appendix A - Oath of Office

I do solemnly swear that I will bear truth faith and allegiance to the United States of America and the State of Connecticut, and will support the constitution and the laws thereof, so help me God.

I do solemnly swear that I will faithfully and impartially discharge and perform all duties incumbent upon me as a police officer of the City of Bridgeport.

I hereby accept the office of Police Officer for the Bridgeport Police Department and agree to obey and be bound by such and regulations as are or may be from time to time, laid down for the government of the Police Department of the City of Bridgeport.

1.1.7 Law Enforcement Code of Ethics

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

1.1.7.2 Performance of the Duties of a Police Officer

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally and with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust that they hold.

1.1.7.6 Integrity

A police officer will not engage in acts of corruption or bribery nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer refrain from performing official responsibilities honestly and within the law. Police Officers must not receive private or special advantage from their official status. Respect from the public cannot be bought: it can only be earned and cultivated.

1.3.4 Knowledge of Department Rules and Regulations

- 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same.
- 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule.

3) All members of the Department shall read and know the contents of all official bulletins, memos, notices and other matter that are posted on the Department bulletin boards or officially distributed within the Department.

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1.3.21 Unbecoming Conduct

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1.3.34 Departmental Reports / Official Correspondence

1. Every member of the department shall, without unnecessary delay, transmit to their superior officer any information of any unusual occurrence, important casualty, serious crime or unsafe condition existing or occurring in the member's presence or which the member is made aware of and shall take proper police action with regard thereto.

2. Officers shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by officers shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false or improper information.

1.3.38 Truthfulness

The integrity of police service is based on truthfulness. Member shall be honest and forthright when questioned by a superior officer. No member shall knowingly or willfully depart from the truth in giving testimony, or in creating a written report, affidavit, or statement about any action or inactions that relates to the member's employment with the Bridgeport Police Department.

This requirement to be honest and forthright and not knowingly or willfully departing from the truth applies to all communications: in person, verbal, written, telephonic, electronic or via radio.

Any sworn member of the Bridgeport Police Department may be ordered by the Chief of Police and or his or her designee to respond fully and truthfully to questions about any action taken that relates to the member's employment or position as it pertains to an internal or administrative investigation.

Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut.

1.1.6 Appendix A – Oath of Office

1.1.7 Law Enforcement Code of Ethics

1.1.7.2 Performance of the Duties of a Police Officer

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1.3.4 Knowledge of Department Rules and Regulations

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1.1.7.1 Primary Responsibilities of a Police Officer

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace, and ensuring the rights of all to liberty, equality and justice.

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Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut.

3.7.1.17 Situations Requiring A Use Of Force Report

The Use of Force Report procedure will be completed whether or not an arrest is made and under the following circumstances (a sample Use of Force Report is available in § 3.7.1.25 below): 1) When any officer purposely strikes either with body parts (feet, hands, knees) or striking instrument, any person during the performance of the officer's duties. 2) When scuffling or grappling with an arrestee or person under lawful detention and using any degree of force or physical restraint greater than the mere guiding, holding or handcuffing of someone. 3) When an officer causes an injury or there is a complaint of injury from a person as a result of any physical confrontation. 4) When an officer uses the authorized Departmentally issued chemical irritant spray, A Use of OC Form must be completed. (Note: An entire Use of Force Report is not necessary under these circumstances.)

1.1.6 Appendix A - Oath of Office

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1.1.7.1 Primary Responsibilities of a Police Officer

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1.3.34 Departmental Reports / Official Correspondence

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3.7.1.17 Situations Requiring A Use Of Force Report

Police Officer Stephen Silva



1.1.6 Appendix A - Oath of Office

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3.7.3.9.3 Physically Injured Or Ill Prisoners

Prisoners requiring immediate medical treatment will be transported from the scene to the hospital via ambulance or police cruiser depending upon the seriousness of the injury.

1.1.6 Appendix A – Oath of Office

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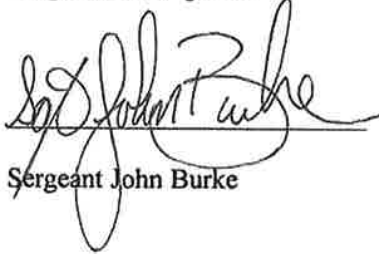
1.3.21 Unbecoming Conduct

3.7.3.9.3 Physically Injured or Ill Prisoners

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sgt. Santiago Llanos", written over a horizontal line.

Sergeant Santiago Llanos

A handwritten signature in cursive script, appearing to read "Sgt. John Burke", written over a horizontal line.

Sergeant John Burke

Redaction Date: Wednesday, March 06, 2019 9:43:11 AM

Total Number of Redactions: 24

By Exemption:

"Federal Violence Against Women Act of 2005" (Federal VAW Act): 1 instance
"HIPAA" (HIPAA): 23 instances

By Page:

Page 1 - "HIPAA" (HIPAA): 1 instance
Page 2 - "HIPAA" (HIPAA): 1 instance
Page 3 - "HIPAA" (HIPAA): 3 instances
Page 8 - "HIPAA" (HIPAA): 14 instances
Page 10 - "HIPAA" (HIPAA): 4 instances
Page 14 - "Federal Violence Against Women Act of 2005" (Federal VAW Act): 1 instance